

116TH CONGRESS
2^D SESSION

S. 4049

AN ACT

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Defense Au-
 5 thorization Act for Fiscal Year 2021”.

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

8 (a) DIVISIONS.—This Act is organized into six divi-
 9 sions as follows:

10 (1) Division A—Department of Defense Au-
 11 thorizations.

12 (2) Division B—Military Construction Author-
 13 izations.

14 (3) Division C—Department of Energy Na-
 15 tional Security Authorizations and Other Authoriza-
 16 tions.

17 (4) Division D—Funding Tables.

18 (5) Division E—Additional Provisions.

19 (6) Division F—Intelligence Authorization Act
 20 for Fiscal Year 2021.

21 (b) TABLE OF CONTENTS.—The table of contents for
 22 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. Integrated air and missile defense assessment.

Sec. 112. Report and limitation on Integrated Visual Augmentation System acquisition.

Sec. 113. Modifications to requirement for an interim cruise missile defense capability.

Subtitle C—Navy Programs

Sec. 121. Contract authority for Columbia-class submarine program.

Sec. 122. Limitation on Navy medium and large unmanned surface vessels.

Sec. 123. Extension of prohibition on availability of funds for Navy waterborne security barriers.

Sec. 124. Procurement authorities for certain amphibious shipbuilding programs.

Sec. 125. Fighter force structure acquisition strategy.

Sec. 126. Treatment of systems added by Congress in future President's budget requests.

Sec. 127. Report on carrier wing composition.

Sec. 128. Report on strategy to use ALQ-249 Next Generation Jammer to ensure full spectrum electromagnetic superiority.

Subtitle D—Air Force Programs

Sec. 141. Economic order quantity contracting authority for F-35 joint strike fighter program.

Sec. 142. Minimum aircraft levels for major mission areas.

Sec. 143. Minimum operational squadron level.

Sec. 144. Minimum Air Force bomber aircraft level.

Sec. 145. F-35 gun system.

Sec. 146. Prohibition on funding for Close Air Support Integration Group.

Sec. 147. Limitation on divestment of KC-10 and KC-135 aircraft.

Sec. 148. Limitation on retirement of U-2 and RQ-4 aircraft.

Sec. 149. Limitation on divestment of F-15C aircraft in the European theater.

Sec. 150. Air base defense development and acquisition strategy.

Sec. 151. Required solution for KC-46 aircraft remote visual system limitations.

Sec. 152. Analysis of requirements and Advanced Battle Management System capabilities.

Sec. 153. Studies on measures to assess cost-per-effect for key mission areas.

Sec. 154. Plan for operational test and utility evaluation of systems for Low-Cost Attributable Aircraft Technology program.

Sec. 155. Prohibition on retirement or divestment of A-10 aircraft.

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

Sec. 171. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air Force: annual plan and certification.

Sec. 172. Authority to use F-35 aircraft withheld from delivery to Government of Turkey.

- Sec. 173. Transfer from Commander of United States Strategic Command to Chairman of the Joint Chiefs of Staff of responsibilities and functions relating to electromagnetic spectrum operations.
- Sec. 174. Cryptographic modernization schedules.
- Sec. 175. Prohibition on purchase of armed overwatch aircraft.
- Sec. 176. Special operations armed overwatch.
- Sec. 177. Autonomic Logistics Information System redesign strategy.
- Sec. 178. Contract aviation services in a country or in airspace in which a Special Federal Aviation Regulation applies.
- Sec. 179. F-35 aircraft munitions.
- Sec. 180. Airborne intelligence, surveillance, and reconnaissance acquisition roadmap for United States Special Operations Command.
- Sec. 181. Requirement to accelerate the fielding and development of counter unmanned aerial systems across the joint force.
- Sec. 182. Joint All Domain Command and Control requirements.

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. Designation and activities of senior officials for critical technology areas supportive of the National Defense Strategy.
- Sec. 212. Governance of fifth-generation wireless networking in the Department of Defense.
- Sec. 213. Application of artificial intelligence to the defense reform pillar of the National Defense Strategy.
- Sec. 214. Extension of authorities to enhance innovation at Department of Defense laboratories.
- Sec. 215. Updates to Defense Quantum Information Science and Technology Research and Development program.
- Sec. 216. Program of part-time and term employment at Department of Defense science and technology reinvention laboratories of faculty and students from institutions of higher education.
- Sec. 217. Improvements to Technology and National Security Fellowship of Department of Defense.
- Sec. 218. Department of Defense research, development, and deployment of technology to support water sustainment.
- Sec. 219. Development and testing of hypersonic capabilities.
- Sec. 220. Disclosure requirements for recipients of Department of Defense research and development grants.

Subtitle C—Plans, Reports, and Other Matters

- Sec. 231. Assessment on United States national security emerging biotechnology efforts and capabilities and comparison with adversaries.
- Sec. 232. Independent comparative analysis of efforts by China and the United States to recruit and retain researchers in national security-related fields.
- Sec. 233. Department of Defense demonstration of virtualized radio access network and massive multiple input multiple output radio arrays for fifth generation wireless networking.

- Sec. 234. Independent technical review of Federal Communications Commission Order 20–48.
- Sec. 235. Report on micro nuclear reactor programs.
- Sec. 236. Modification to Test Resource Management Center strategic plan reporting cycle and contents.
- Sec. 237. Limitation on contract awards for certain unmanned vessels.
- Sec. 238. Documentation relating to the Advanced Battle Management System.
- Sec. 239. Armed Services Vocational Aptitude Battery Test special purpose adjunct to address computational thinking.
- Sec. 240. Report on use of testing facilities to research and develop hypersonic technology.
- Sec. 241. Study and plan on the use of additive manufacturing and three-dimensional bioprinting in support of the warfighter.
- Sec. 242. Element in annual reports on cyber science and technology activities on work with academic consortia on high priority cybersecurity research activities in Department of Defense capabilities.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

- Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

- Sec. 311. Modifications and technical corrections to ensure restoration of contamination by perfluorooctane sulfonate and perfluorooctanoic acid.
- Sec. 312. Readiness and Environmental Protection Integration Program technical edits and clarification.
- Sec. 313. Survey and market research of technologies for phase out by Department of Defense of use of fluorinated aqueous film-forming foam.
- Sec. 314. Modification of authority to carry out military installation resilience projects.
- Sec. 315. Native American Indian lands environmental mitigation program.
- Sec. 316. Energy resilience and energy security measures on military installations.
- Sec. 317. Modification to availability of energy cost savings for Department of Defense.
- Sec. 318. Long-duration demonstration initiative and joint program.
- Sec. 319. Pilot program on alternative fuel vehicle purchasing.
- Sec. 320. Extension of real-time sound monitoring at Navy installations where tactical fighter aircraft operate.
- Sec. 321. Study on impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River on personnel, activities, and installations of Department of Defense.
- Sec. 322. Increase in funding for study by Centers for Disease Control and Prevention relating to perfluoroalkyl and polyfluoroalkyl substance contamination in drinking water.

Subtitle C—Logistics and Sustainment

- Sec. 331. Repeal of statutory requirement for notification to Director of Defense Logistics Agency three years prior to implementing changes to any uniform or uniform component.

Sec. 332. Clarification of limitation on length of overseas forward deployment of currently deployed naval vessels.

Subtitle D—Reports

Sec. 351. Report on impact of permafrost thaw on infrastructure, facilities, and operations of the Department of Defense.

Sec. 352. Plans and reports on emergency response training for military installations.

Sec. 353. Report on implementation by Department of Defense of requirements relating to renewable fuel pumps.

Sec. 354. Report on effects of extreme weather on Department of Defense.

Subtitle E—Other Matters

Sec. 371. Prohibition on divestiture of manned intelligence, surveillance, and reconnaissance aircraft operated by United States Special Operations Command.

Sec. 372. Information on overseas construction projects in support of contingency operations using funds for operation and maintenance.

Sec. 373. Provision of protection to the National Museum of the Marine Corps, the National Museum of the United States Army, the National Museum of the United States Navy, and the National Museum of the United States Air Force.

Sec. 374. Inapplicability of congressional notification and dollar limitation requirements for advance billings for certain background investigations.

Sec. 375. Repeal of sunset for minimum annual purchase amount for carriers participating in the Civil Reserve Air Fleet.

Sec. 376. Improvement of the Operational Energy Capability Improvement Fund of the Department of Defense.

Sec. 377. Commission on the naming of items of the Department of Defense that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.

Sec. 378. Modifications to review of proposed actions by Military Aviation and Installation Assurance Clearinghouse.

Sec. 379. Adjustment in availability of appropriations for unusual cost overruns and for changes in scope of work.

Sec. 380. Requirement that Secretary of Defense implement security and emergency response recommendations relating to active shooter or terrorist attacks on installations of Department of Defense.

Sec. 381. Clarification of food ingredient requirements for food or beverages provided by the Department of Defense.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. End strength level matters.

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.
- Sec. 415. Separate authorization by Congress of minimum end strengths for non-temporary military technicians (dual status) and maximum end strengths for temporary military technicians (dual status).

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

- Sec. 501. Repeal of codified specification of authorized strengths of certain commissioned officers on active duty.
- Sec. 502. Temporary expansion of availability of enhanced constructive service credit in a particular career field upon original appointment as a commissioned officer.
- Sec. 503. Requirement for promotion selection board recommendation of higher placement on promotion list of officers of particular merit.
- Sec. 504. Special selection review boards for review of promotion of officers subject to adverse information identified after recommendation for promotion and related matters.
- Sec. 505. Number of opportunities for consideration for promotion under alternative promotion authority.
- Sec. 506. Mandatory retirement for age.
- Sec. 507. Clarifying and improving restatement of rules on the retired grade of commissioned officers.
- Sec. 508. Repeal of authority for original appointment of regular Navy officers designated for engineering duty, aeronautical engineering duty, and special duty.

Subtitle B—Reserve Component Management

- Sec. 511. Exclusion of certain reserve general and flag officers on active duty from limitations on authorized strengths.

Subtitle C—General Service Authorities

- Sec. 516. Increased access to potential recruits.
- Sec. 517. Temporary authority to order retired members to active duty in high-demand, low-density assignments during war or national emergency.
- Sec. 518. Certificate of Release or Discharge from Active Duty (DD Form 214) matters.
- Sec. 519. Evaluation of barriers to minority participation in certain units of the Armed Forces.
- Sec. 520. Reports on diversity and inclusion in the Armed Forces.

Subtitle D—Military Justice and Related Matters

PART I—INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT AND RELATED MATTERS

- Sec. 521. Modification of time required for expedited decisions in connection with applications for change of station or unit transfer of members who are victims of sexual assault or related offenses.

- Sec. 522. Defense Advisory Committee for the Prevention of Sexual Misconduct.
- Sec. 523. Report on ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to perform duties.
- Sec. 524. Briefing on Special Victims' Counsel program.
- Sec. 525. Accountability of leadership of the Department of Defense for discharging the sexual harassment policies and programs of the Department.
- Sec. 526. Safe-to-report policy applicable across the Armed Forces.
- Sec. 527. Additional bases for provision of advice by the Defense Advisory Committee for the Prevention of Sexual Misconduct.
- Sec. 528. Additional matters for reports of the Defense Advisory Committee for the Prevention of Sexual Misconduct.
- Sec. 529. Policy on separation of victim and accused at military service academies and degree-granting military educational institutions.
- Sec. 530. Briefing on placement of members of the Armed Forces in academic status who are victims of sexual assault onto Non-Rated Periods.

PART II—OTHER MILITARY JUSTICE MATTERS

- Sec. 531. Right to notice of victims of offenses under the Uniform Code of Military Justice regarding certain post-trial motions, filings, and hearings.
- Sec. 532. Consideration of the evidence by Courts of Criminal Appeals.
- Sec. 533. Preservation of records of the military justice system.
- Sec. 534. Comptroller General of the United States report on implementation by the Armed Forces of recent GAO recommendations and statutory requirements on assessment of racial, ethnic, and gender disparities in the military justice system.
- Sec. 535. Briefing on mental health support for vicarious trauma for certain personnel in the military justice system.
- Sec. 536. Guardian ad litem program for minor dependents of members of the Armed Forces.

Subtitle E—Member Education, Training, Transition, and Resilience

- Sec. 541. Training on religious accommodation for members of the Armed Forces.
- Sec. 542. Additional elements with 2021 certifications on the Ready, Relevant Learning initiative of the Navy.
- Sec. 543. Report on standardization and potential merger of law enforcement training for military and civilian personnel across the Department of Defense.
- Sec. 544. Quarterly reports on implementation of recommendations of the Comprehensive Review of Special Operations Forces Culture and Ethics.
- Sec. 545. Information on nominations and applications for military service academies.
- Sec. 546. Pilot programs in connection with Senior Reserve Officers' Training Corps units at Historically Black Colleges and Universities and minority institutions.
- Sec. 547. Expansion of Junior Reserve Officers' Training Corps Program.
- Sec. 548. Department of Defense STARBASE Program.

Subtitle F—Decorations and Awards

- Sec. 551. Award or presentation of decorations favorably recommended following determination on merits of proposals for decorations not previously submitted in a timely fashion.
- Sec. 552. Honorary promotion matters.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

PART I—DEFENSE DEPENDENTS' EDUCATION MATTERS

- Sec. 561. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
- Sec. 562. Impact aid for children with severe disabilities.
- Sec. 563. Staffing of Department of Defense Education Activity schools to maintain maximum student-to-teacher ratios.
- Sec. 564. Matters in connection with free appropriate public education for dependents of members of the Armed Forces with special needs.
- Sec. 565. Pilot program on expanded eligibility for Department of Defense Education Activity Virtual High School program.
- Sec. 566. Pilot program on expansion of eligibility for enrollment at domestic dependent elementary and secondary schools.
- Sec. 567. Comptroller General of the United States report on the structural condition of Department of Defense Education Activity schools.

PART II—MILITARY FAMILY READINESS MATTERS

- Sec. 571. Responsibility for allocation of certain funds for military child development programs.
- Sec. 572. Improvements to Exceptional Family Member Program.
- Sec. 573. Procedures of the Office of Special Needs for the development of individualized services plans for military families with special needs.
- Sec. 574. Restatement and clarification of authority to reimburse members for spouse relicensing costs pursuant to a permanent change of station.
- Sec. 575. Improvements to Department of Defense tracking of and response to incidents of child abuse involving military dependents on military installations.
- Sec. 576. Military child care and child development center matters.
- Sec. 577. Expansion of financial assistance under My Career Advancement Account program.

Subtitle H—Other Matters

- Sec. 586. Removal of personally identifying and other information of certain persons from investigative reports, the Department of Defense Central Index of Investigations, and other records and databases.
- Sec. 587. National emergency exception for timing requirements with respect to certain surveys of members of the Armed Forces.
- Sec. 588. Sunset and transfer of functions of the Physical Disability Board of Review.

- Sec. 589. Extension of reporting deadline for the annual report on the assessment of the effectiveness of activities of the federal voting assistance program.
- Sec. 590. Pilot programs on remote provision by National Guard to State governments and National Guards of other States of cybersecurity technical assistance in training, preparation, and response to cyber incidents.
- Sec. 591. Plan on performance of funeral honors details by members of other Armed Forces when members of the Armed Force of the deceased are unavailable.
- Sec. 592. Limitation on implementation of Army Combat Fitness Test.
- Sec. 593. Report on impact of children of certain Filipino World War II veterans on national security, foreign policy, and economic and humanitarian interests of the United States.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Reorganization of certain allowances other than travel and transportation allowances.
- Sec. 602. Hazardous duty pay for members of the Armed Forces performing duty in response to the Coronavirus Disease 2019.
- Sec. 603. Compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components.

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. One-year extension of certain expiring bonus and special pay authorities.
- Sec. 612. Increase in special and incentive pays for officers in health professions.

Subtitle C—Disability Pay, Retired Pay, and Survivor Benefits

- Sec. 621. Inclusion of drill or training foregone due to emergency travel or duty restrictions in computations of entitlement to and amounts of retired pay for non-regular service.
- Sec. 622. Modernization and clarification of payment of certain Reserves while on duty.
- Sec. 623. Relief of Richard W. Collins III.

Subtitle D—Other Matters

- Sec. 631. Permanent authority for and enhancement of the Government lodging program.
- Sec. 632. Approval of certain activities by retired and reserve members of the uniformed services.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

- Sec. 701. Authority for Secretary of Defense to manage provider type referral and supervision requirements under TRICARE program.
- Sec. 702. Removal of Christian Science providers as authorized providers under the TRICARE program.

- Sec. 703. Waiver of fees charged to certain civilians for emergency medical treatment provided at military medical treatment facilities.
- Sec. 704. Mental health resources for members of the Armed Forces and their dependents during the COVID-19 pandemic.
- Sec. 705. Transitional health benefits for certain members of the National Guard serving under orders in response to the coronavirus (COVID-19).
- Sec. 706. Extramedical maternal health providers demonstration project.
- Sec. 707. Pilot program on receipt of non-generic prescription maintenance medications under TRICARE pharmacy benefits program.

Subtitle B—Health Care Administration

- Sec. 721. Modifications to transfer of Army Medical Research and Development Command and public health commands to Defense Health Agency.
- Sec. 722. Delay of applicability of administration of TRICARE dental plans through Federal Employees Dental and Vision Insurance Program.
- Sec. 723. Authority of Secretary of Defense to waive requirements during national emergencies for purposes of provision of health care.

Subtitle C—Reports and Other Matters

- Sec. 741. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.
- Sec. 742. Membership of Board of Regents of Uniformed Services University of the Health Sciences.
- Sec. 743. Military Health System Clinical Quality Management Program.
- Sec. 744. Modifications to pilot program on civilian and military partnerships to enhance interoperability and medical surge capability and capacity of National Disaster Medical System.
- Sec. 745. Study on force mix options and service models to enhance readiness of medical force of the Armed Forces to provide combat casualty care.
- Sec. 746. Comptroller General study on delivery of mental health services to members of the reserve components of the Armed Forces.
- Sec. 747. Review and report on prevention of suicide among members of the Armed Forces stationed at remote installations outside the contiguous United States.
- Sec. 748. Audit of medical conditions of tenants in privatized military housing.
- Sec. 749. Comptroller General study on prenatal and postpartum mental health conditions among members of the Armed Forces and their dependents.
- Sec. 750. Plan for evaluation of flexible spending account options for members of the uniformed services and their families.
- Sec. 751. Assessment of receipt by civilians of emergency medical treatment at military medical treatment facilities.
- Sec. 752. Report on billing practices for health care from Department of Defense.
- Sec. 753. Access of veterans to Individual Longitudinal Exposure Record.
- Sec. 754. Study on the incidence of cancer diagnosis and mortality among military aviators and aviation support personnel.

Subtitle D—Mental Health Services From Department of Veterans Affairs for Members of Reserve Components

- Sec. 761. Short title.
- Sec. 762. Expansion of eligibility for readjustment counseling and related outpatient services from Department of Veterans Affairs to include members of reserve components of the Armed Forces.
- Sec. 763. Provision of mental health services from Department of Veterans Affairs to members of reserve components of the Armed Forces.
- Sec. 764. Inclusion of members of reserve components in mental health programs of Department of Veterans Affairs.
- Sec. 765. Report on mental health and related services provided by Department of Veterans Affairs to members of the Armed Forces.

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

Subtitle A—Industrial Base Matters

- Sec. 801. Policy recommendations for implementation of Executive Order 13806 (Assessing and Strengthening the Manufacturing and Defense Industrial Base and Supply Chain Resiliency).
- Sec. 802. Assessment of national security innovation base.
- Sec. 803. Improving implementation of policy pertaining to the national technology and industrial base.
- Sec. 804. Modification of framework for modernizing acquisition processes to ensure integrity of industrial base.
- Sec. 805. Assessments of industrial base capabilities and capacity.
- Sec. 806. Analyses of certain materials and technology sectors for action to address sourcing and industrial capacity.
- Sec. 807. Microelectronics manufacturing strategy.
- Sec. 808. Additional requirements pertaining to printed circuit boards.
- Sec. 809. Statement of policy with respect to supply of strategic minerals and metals for Department of Defense purposes.
- Sec. 810. Report on strategic and critical minerals and metals.
- Sec. 811. Stabilization of shipbuilding industrial base workforce.
- Sec. 812. Miscellaneous limitations on the procurement of goods other than United States goods.
- Sec. 813. Use of domestically sourced star trackers in national security satellites.
- Sec. 814. Modification to small purchase threshold exception to sourcing requirements for certain articles.

Subtitle B—Acquisition Policy and Management

- Sec. 831. Report on acquisition risk assessment and mitigation as part of Adaptive Acquisition Framework implementation.
- Sec. 832. Comptroller General report on implementation of software acquisition reforms.

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

- Sec. 841. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.
- Sec. 842. Truth in Negotiations Act threshold for Department of Defense contracts.

- Sec. 843. Revision of proof required when using an evaluation factor for defense contractors employing or subcontracting with members of the selected reserve of the reserve components of the Armed Forces.
- Sec. 844. Contract authority for advanced development of initial or additional prototype units.
- Sec. 845. Definition of business system deficiencies for contractor business systems.
- Sec. 846. Repeal of pilot program on payment of costs for denied Government Accountability Office bid protests.

Subtitle D—Provisions Relating to Major Defense Acquisition Programs

- Sec. 861. Implementation of modular open systems architecture requirements.
- Sec. 862. Sustainment reviews.
- Sec. 863. Recommendations for future direct selections.
- Sec. 864. Disclosures for certain shipbuilding major defense acquisition program offers.

Subtitle E—Small Business Matters

- Sec. 871. Prompt payment of contractors.
- Sec. 872. Extension of pilot program for streamlined awards for innovative technology programs.
- Sec. 873. Reporting requirements.

Subtitle F—Provisions Related to Software-Driven Capabilities

- Sec. 881. Inclusion of software in government performance of acquisition functions.
- Sec. 882. Balancing security and innovation in software development and acquisition.
- Sec. 883. Comptroller General report on intellectual property acquisition and licensing.
- Sec. 884. Pilot program exploring the use of consumption-based solutions to address software-intensive warfighting capability.

Subtitle G—Other Matters

- Sec. 891. Safeguarding defense-sensitive United States intellectual property, technology, and other data and information.
- Sec. 892. Domestic comparative testing activities.
- Sec. 893. Repeal of apprenticeship program.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

- Sec. 901. Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and related matters.
- Sec. 902. Redesignation and codification in law of Office of Economic Adjustment.
- Sec. 903. Modernization of process used by the Department of Defense to identify, task, and manage Congressional reporting requirements.
- Sec. 904. Inclusion of Vice Chief of the National Guard Bureau as an advisor to the Joint Requirements Oversight Council.

Sec. 905. Assignment of responsibility for the Arctic region within the Office of the Secretary of Defense.

Subtitle B—Department of Defense Management Reform

- Sec. 911. Termination of position of Chief Management Officer of the Department of Defense.
- Sec. 912. Report on assignment of responsibilities, duties, and authorities of Chief Management Officer to other officers or employees of the Department of Defense.
- Sec. 913. Performance Improvement Officer of the Department of Defense.
- Sec. 914. Assignment of certain responsibilities and duties to particular officers of the Department of Defense.
- Sec. 915. Assignment of responsibilities and duties of Chief Management Officer to officers or employees of the Department of Defense to be designated.
- Sec. 916. Definition of enterprise business operations for title 10, United States Code.
- Sec. 917. Annual report on enterprise business operations of the Department of Defense.
- Sec. 918. Conforming amendments.

Subtitle C—Space Force Matters

PART I—AMENDMENTS TO INTEGRATE THE SPACE FORCE INTO LAW

- Sec. 931. Clarification of Space Force and Chief of Space Operations authorities.
- Sec. 931A. Office of the Chief of Space Operations.
- Sec. 932. Amendments to Department of the Air Force provisions in title 10, United States Code.
- Sec. 933. Amendments to other provisions of title 10, United States Code.
- Sec. 934. Amendments to provisions of law relating to pay and allowances.
- Sec. 935. Amendments relating to provisions of law on veterans' benefits.
- Sec. 936. Amendments to other provisions of the United States Code.
- Sec. 937. Applicability to other provisions of law.

PART II—OTHER MATTERS

- Sec. 941. Matters relating to reserve components for the Space Force.
- Sec. 942. Transfers of military and civilian personnel to the Space Force.
- Sec. 943. Limitation on transfer of military installations to the jurisdiction of the Space Force.
- Sec. 944. Clarification of procurement of commercial satellite communications services.
- Sec. 945. Temporary exemption from authorized daily average of members in pay grades E-8 and E-9.
- Sec. 946. Application of acquisition demonstration project to Department of the Air Force employees assigned to acquisition positions within the Space Force.
- Sec. 947. Air and Space Force Medal.

Subtitle D—Organization and Management of Other Department of Defense Offices and Elements

- Sec. 951. Annual report on establishment of field operating agencies.

- Sec. 952. Briefing on assignment of members of the Armed Forces on active duty to the Joint Artificial Intelligence Center of the Department of Defense.
- Sec. 953. Threats to United States forces from small unmanned aerial systems worldwide.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.
- Sec. 1002. Application of Financial Improvement and Audit Remediation Plan to fiscal years following fiscal year 2020.
- Sec. 1003. Incentives for the achievement by the components of the Department of Defense of unqualified audit opinions on the financial statements.

Subtitle B—Counterdrug Activities

- Sec. 1011. Codification of authority for joint task forces of the Department of Defense to support law enforcement agencies conducting counterterrorism or counter-transnational organized crime activities.

Subtitle C—Naval Vessels and Shipyards

- Sec. 1021. Modification of authority to purchase used vessels with funds in the National Defense Sealift Fund.
- Sec. 1022. Waiver during war or threat to national security of restrictions on overhaul, repair, or maintenance of vessels in foreign shipyards.
- Sec. 1023. Modification of waiver authority on prohibition on use of funds for retirement of certain legacy maritime mine countermeasure platforms.
- Sec. 1024. Extension of authority for reimbursement of expenses for certain Navy mess operations afloat.
- Sec. 1025. Sense of Congress on actions necessary to achieve a 355-ship Navy.

Subtitle D—Counterterrorism

- Sec. 1031. 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. 1032. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1033. 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. 1034. 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.

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1041. Inclusion of disaster-related emergency preparedness activities among law enforcement activities authorities for sale or donation of excess personal property of the Department of Defense.

- Sec. 1042. Expenditure of funds for Department of Defense clandestine activities that support operational preparation of the environment.
- Sec. 1043. Clarification of authority of military commissions under chapter 47A of title 10, United States Code, to punish contempt.
- Sec. 1044. Prohibition on actions to infringe upon First Amendment rights of peaceable assembly and petition for redress of grievances.
- Sec. 1045. Arctic planning, research, and development.
- Sec. 1046. Consideration of security risks in certain telecommunications architecture for future overseas basing decisions of the Department of Defense.
- Sec. 1047. Foreign military training programs.
- Sec. 1048. Reporting of adverse events relating to consumer products on military installations.
- Sec. 1049. Inclusion of United States Naval Sea Cadet Corps among youth and charitable organizations authorized to receive assistance from the National Guard.
- Sec. 1050. Department of Defense policy for the regulation of dangerous dogs.
- Sec. 1051. Sense of Congress on the basing of KC-46A aircraft outside the contiguous United States.
- Sec. 1052. Efficient use of sensitive compartmented information facilities.
- Sec. 1053. Assistance for farmer and rancher stress and mental health of individuals in rural areas.
- Sec. 1054. Additional conditions and limitations on the transfer of Department of Defense property for law enforcement activities.

Subtitle F—Studies and Reports

- Sec. 1061. Report on potential improvements to certain military educational institutions of the Department of Defense.
- Sec. 1062. Reports on status and modernization of the North Warning System.
- Sec. 1063. Studies on the force structure for Marine Corps aviation.
- Sec. 1064. Study on unemployment rate of female veterans who served on active duty in the Armed Forces after September 11, 2001.
- Sec. 1065. Report on Great Lakes and inland waterways seaports.
- Sec. 1066. Report on the Chemical and Biological Defense Program of the Department of Defense.
- Sec. 1067. Report on round-the-clock availability of childcare for members of the Armed Forces and civilian employees of the Department of Defense who work rotating shifts.

Subtitle G—Other Matters

- Sec. 1081. Department of Defense strategic Arctic ports.
- Sec. 1082. Personal protective equipment matters.
- Sec. 1083. Estimate of damages from Federal Communications Commission Order 20-48.
- Sec. 1084. Modernization effort.
- Sec. 1085. Sense of Senate on Gold Star Families Remembrance Week.
- Sec. 1086. Continuity of the Economy Plan.
- Sec. 1087. Improving the authority for operations of unmanned aircraft for educational purposes.
- Sec. 1088. Requirement to post a 100 word summary to regulations.gov.
- Sec. 1089. Modification of licensure requirements for health care professionals providing treatment via telemedicine.
- Sec. 1090. Restrictions on Confucius Institutes.
- Sec. 1090A. Additional care for newborn children of veterans.

Sec. 1090B. Additional diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in the Republic of Vietnam.

Subtitle H—Wireless Supply Chain Innovation and Multilateral Security

Sec. 1091. Definitions.
 Sec. 1092. Communications technology security funds.
 Sec. 1093. Promoting United States leadership in international organizations and communications standards-setting bodies.

Subtitle I—Semiconductor Manufacturing Incentives

Sec. 1094. Semiconductor incentive grants.
 Sec. 1095. Department of Defense.
 Sec. 1096. Department of Commerce study on status of microelectronics technologies in the United States industrial base.
 Sec. 1097. Funding for development and adoption of measurably secure microelectronics and measurably secure microelectronics supply chains.
 Sec. 1098. Advanced semiconductor research and design.
 Sec. 1099. Prohibition relating to foreign adversaries.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—Department of Defense Matters

Sec. 1101. Enhanced pay authority for certain acquisition and technology positions in the Department of Defense.
 Sec. 1102. Enhanced pay authority for certain research and technology positions in the science and technology reinvention laboratories of the Department of Defense.
 Sec. 1103. Extension of enhanced appointment and compensation authority for civilian personnel for care and treatment of wounded and injured members of the Armed Forces.
 Sec. 1104. Extension of overtime rate authority for Department of the Navy employees performing work aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan.
 Sec. 1105. Expansion of direct hire authority for certain Department of Defense personnel to include installation military housing office positions supervising privatized military housing.
 Sec. 1106. Extension of sunset of inapplicability of certification of executive qualifications by qualification certification review board of Office of Personnel Management for initial appointments to Senior Executive Service positions in Department of Defense.
 Sec. 1107. Pilot program on enhanced pay authority for certain high-level management positions in the Department of Defense.
 Sec. 1108. Pilot program on expanded authority for appointment of recently retired members of the Armed Forces to positions in the Department of Defense.
 Sec. 1109. Direct hire authority and relocation incentives for positions at remote locations.
 Sec. 1110. Modification of direct hire authority for certain personnel involved with Department of Defense maintenance activities.
 Sec. 1110A. Fire Fighters Alternative Work Schedule demonstration project for the Navy Region Mid-Atlantic Fire and Emergency Services.

Sec. 1110B. Report by Comptroller General of the United States on diversity and inclusion within the civilian workforce of the Department of Defense.

Subtitle B—Government-Wide Matters

- Sec. 1111. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1112. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
- Sec. 1113. Technical amendments to authority for reimbursement of Federal, State, and local income taxes incurred during travel, transportation, and relocation.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

- Sec. 1201. Authority to build capacity for additional operations.
- Sec. 1202. Authority to build capacity for air sovereignty operations.
- Sec. 1203. Modification to the Inter-European Air Forces Academy.
- Sec. 1204. Modification to support of special operations for irregular warfare.
- Sec. 1205. Extension and modification of authority to support border security operations of certain foreign countries.
- Sec. 1206. Modification of authority for participation in multinational centers of excellence.
- Sec. 1207. Implementation of the Women, Peace, and Security Act of 2017.
- Sec. 1208. Ted Stevens Center for Arctic Security Studies.
- Sec. 1209. Functional Center for Security Studies in Irregular Warfare.
- Sec. 1210. Open Technology Fund.

Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 1211. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1212. Extension and modification of Commanders' Emergency Response Program.
- Sec. 1213. Extension and modification of support for reconciliation activities led by the Government of Afghanistan.
- Sec. 1214. Sense of Senate on special immigrant visa program for Afghan allies.
- Sec. 1215. Sense of Senate and report on United States presence in Afghanistan.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

- Sec. 1221. Extension of authority and limitation on use of funds to provide assistance to counter the Islamic State of Iraq and Syria.
- Sec. 1222. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.
- Sec. 1223. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.

Subtitle D—Matters Relating to Europe and the Russian Federation

- Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.
- Sec. 1232. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.
- Sec. 1233. Modification and extension of Ukraine Security Assistance Initiative.
- Sec. 1234. Report on capability and capacity requirements of military forces of Ukraine and resource plan for security assistance.
- Sec. 1235. Sense of Senate on North Atlantic Treaty Organization enhanced opportunities partner status for Ukraine.
- Sec. 1236. Extension of authority for training for Eastern European national security forces in the course of multilateral exercises.
- Sec. 1237. Sense of Senate on Kosovo and the role of the Kosovo Force of the North Atlantic Treaty Organization.
- Sec. 1238. Sense of Senate on strategic competition with the Russian Federation and related activities of the Department of Defense.
- Sec. 1239. Report on Russian Federation support of racially and ethnically motivated violent extremists.
- Sec. 1240. Participation in European program on multilateral exchange of surface transportation services.
- Sec. 1241. Participation in programs relating to coordination or exchange of air refueling and air transportation services.
- Sec. 1242. Sense of Congress on support for coordinated action to ensure the security of Baltic allies.

Subtitle E—Matters Relating to the Indo-Pacific Region

- Sec. 1251. Pacific Deterrence Initiative.
- Sec. 1252. Sense of Senate on the United States-Vietnam defense relationship.
- Sec. 1253. Authority to transfer funds for Bien Hoa dioxin cleanup.
- Sec. 1254. Cooperative program with Vietnam to account for Vietnamese personnel missing in action.
- Sec. 1255. Provision of goods and services at Kwajalein Atoll, Republic of the Marshall Islands.
- Sec. 1256. Authority to establish a Movement Coordination Center Pacific in the Indo-Pacific region and participate in an Air Transport and Air-to-Air Refueling and other Exchanges of Services program.
- Sec. 1257. Training of ally and partner air forces in Guam.
- Sec. 1258. Statement of policy and sense of Senate on the Taiwan Relations Act.
- Sec. 1259. Sense of Congress on port calls in Taiwan with the USNS Comfort and the USNS Mersey .
- Sec. 1260. Limitation on use of funds to reduce total number of members of the Armed Forces serving on active duty who are deployed to the Republic of Korea.
- Sec. 1261. Sense of Congress on co-development with Japan of a long-range ground-based anti-ship cruise missile system.
- Sec. 1262. Statement of policy on cooperation in the Indo-Pacific region.
- Sec. 1263. Extension of prohibition on commercial export of certain munitions to the Hong Kong Police Force.
- Sec. 1264. Implementation of the Asia Reassurance Initiative Act with regard to Taiwan arms sales.

Subtitle F—Reports

- Sec. 1271. Review of and report on overdue acquisition and cross-servicing agreement transactions.
- Sec. 1272. Report on burden sharing contributions by designated countries.
- Sec. 1273. Report on risk to personnel, equipment, and operations due to Huawei 5G architecture in host countries.
- Sec. 1274. Allied burden sharing report.

Subtitle G—Other Matters

- Sec. 1281. Reciprocal patient movement agreements.
- Sec. 1282. Extension of authorization of non-conventional assisted recovery capabilities.
- Sec. 1283. Extension of Department of Defense support for stabilization activities in national security interest of the United States.
- Sec. 1284. Notification with respect to withdrawal of members of the Armed Forces participating in the Multinational Force and Observers in Egypt.
- Sec. 1285. Modification to initiative to support protection of national security academic researchers from undue influence and other security threats.
- Sec. 1286. Establishment of United States-Israel Operations-Technology Working Group.
- Sec. 1287. Improved coordination of United States sanctions policy.

Subtitle H—Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act

- Sec. 1291. Short title.
- Sec. 1292. Assistance for United States nationals unlawfully or wrongfully detained abroad.
- Sec. 1293. Special Envoy for Hostage Affairs.
- Sec. 1294. Hostage Recovery Fusion Cell.
- Sec. 1295. Hostage Response Group.
- Sec. 1296. Authorization of imposition of sanctions.
- Sec. 1297. Definitions.
- Sec. 1298. Rule of construction.

TITLE XIII—COOPERATIVE THREAT REDUCTION

- Sec. 1301. Funding allocations for Department of Defense Cooperative Threat Reduction Program.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

- Sec. 1401. Working capital funds.
- Sec. 1402. Chemical Agents and Munitions Destruction, Defense.
- Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-wide.
- Sec. 1404. Defense Inspector General.
- Sec. 1405. Defense Health Program.

Subtitle B—Armed Forces Retirement Home

- Sec. 1411. Authorization of appropriations for Armed Forces Retirement Home.
- Sec. 1412. Periodic inspections of Armed Forces Retirement Home facilities by nationally recognized accrediting organization.

Sec. 1413. Expansion of eligibility for residence at the Armed Forces Retirement Home.

Subtitle C—Other Matters

Sec. 1421. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS
FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

Sec. 1501. Purpose.
 Sec. 1502. Overseas contingency operations.
 Sec. 1503. Procurement.
 Sec. 1504. Research, development, test, and evaluation.
 Sec. 1505. Operation and maintenance.
 Sec. 1506. Military personnel.
 Sec. 1507. Working capital funds.
 Sec. 1508. Drug Interdiction and Counter-Drug Activities, Defense-wide.
 Sec. 1509. Defense Inspector General.
 Sec. 1510. Defense Health Program.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.
 Sec. 1522. Special transfer authority.

Subtitle C—Other Matters

Sec. 1531. Afghanistan Security Forces Fund.
 Sec. 1532. Transition and enhancement of inspector general authorities for Afghanistan reconstruction.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE
MATTERS

Subtitle A—Space Activities

Sec. 1601. Resilient and survivable positioning, navigation, and timing capabilities.
 Sec. 1602. Development efforts for National Security Space Launch providers.
 Sec. 1603. Timeline for nonrecurring design validation for responsive space launch.
 Sec. 1604. Tactically responsive space launch operations.
 Sec. 1605. Conforming amendments relating to reestablishment of Space Command.
 Sec. 1606. Space Development Agency development requirements and transfer to Space Force.
 Sec. 1607. Space launch rate assessment.
 Sec. 1608. Report on impact of acquisition strategy for the National Security Space Launch Program on emerging foreign space launch providers.
 Sec. 1609. Leveraging commercial satellite remote sensing.

Subtitle B—Cyberspace-Related Matters

- Sec. 1611. Modification of position of Principal Cyber Advisor.
- Sec. 1612. Framework for cyber hunt forward operations.
- Sec. 1613. Modification of scope of notification requirements for sensitive military cyber operations.
- Sec. 1614. Modification of requirements for quarterly Department of Defense cyber operations briefings for Congress.
- Sec. 1615. Rationalization and integration of parallel cybersecurity architectures and operations.
- Sec. 1616. Modification of acquisition authority of Commander of United States Cyber Command.
- Sec. 1617. Assessment of cyber operational planning and deconfliction policies and processes.
- Sec. 1618. Pilot program on cybersecurity capability metrics.
- Sec. 1619. Assessment of effect of inconsistent timing and use of Network Address Translation in Department of Defense networks.
- Sec. 1620. Matters concerning the College of Information and Cyberspace at National Defense University.
- Sec. 1621. Modification of mission of cyber command and assignment of cyber operations forces.
- Sec. 1622. Integration of Department of Defense user activity monitoring and cybersecurity.
- Sec. 1623. Defense industrial base cybersecurity sensor architecture plan.
- Sec. 1624. Extension of Cyberspace Solarium Commission to track and assess implementation.
- Sec. 1625. Review of regulations and promulgation of guidance relating to National Guard responses to cyber attacks.
- Sec. 1626. Improvements relating to the quadrennial cyber posture review.
- Sec. 1627. Report on enabling United States Cyber Command resource allocation.
- Sec. 1628. Evaluation of options for establishing a cyber reserve force.
- Sec. 1629. Ensuring cyber resiliency of nuclear command and control system.
- Sec. 1630. Modification of requirements relating to the Strategic Cybersecurity Program and the evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense.
- Sec. 1631. Defense industrial base participation in a cybersecurity threat intelligence sharing program.
- Sec. 1632. Assessment on defense industrial base cybersecurity threat hunting.
- Sec. 1633. Assessing risk to national security of quantum computing.
- Sec. 1634. Applicability of reorientation of Big Data Platform program to Department of Navy.
- Sec. 1635. Expansion of authority for access and information relating to cyber attacks on operationally critical contractors of the Armed Forces.
- Sec. 1636. Requirements for review of and limitations on the Joint Regional Security Stacks activity.
- Sec. 1637. Independent assessment of establishment of a National Cyber Director.
- Sec. 1638. Modification of authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.
- Sec. 1639. Personnel management authority for Commander of United States Cyber Command and development program for offensive cyber operations.
- Sec. 1640. Implementation of information operations matters.

- Sec. 1641. Report on Cyber Institutes Program.
- Sec. 1642. Assistance for small manufacturers in the defense industrial supply chain on matters relating to cybersecurity.
- Sec. 1643. Study on cyberexploitation of members of the Armed Forces and their families.

Subtitle C—Nuclear Forces

- Sec. 1651. Modification to responsibilities of Nuclear Weapons Council.
- Sec. 1652. Responsibility of Nuclear Weapons Council in preparation of National Nuclear Security Administration budget.
- Sec. 1653. Modification of Government Accountability Office review of annual reports on nuclear weapons enterprise.
- Sec. 1654. Prohibition on reduction of the intercontinental ballistic missiles of the United States.
- Sec. 1655. Sense of the Senate on nuclear cooperation between the United States and the United Kingdom.

Subtitle D—Missile Defense Programs

- Sec. 1661. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.
- Sec. 1662. Acceleration of the deployment of hypersonic and ballistic tracking space sensor payload.
- Sec. 1663. Extension of prohibition relating to missile defense information and systems.
- Sec. 1664. Report on and limitation on expenditure of funds for layered homeland missile defense system.
- Sec. 1665. Extension of requirement for Comptroller General review and assessment of missile defense acquisition programs.
- Sec. 1666. Repeal of requirement for reporting structure of Missile Defense Agency.
- Sec. 1667. Ground-based midcourse defense interim capability.

TITLE XVII—HONG KONG AUTONOMY ACT

- Sec. 1701. Short title.
- Sec. 1702. Definitions.
- Sec. 1703. Findings.
- Sec. 1704. Sense of Congress regarding Hong Kong.
- Sec. 1705. Identification of foreign persons involved in the erosion of the obligations of China under the Joint Declaration or the Basic Law and foreign financial institutions that conduct significant transactions with those persons.
- Sec. 1706. Sanctions with respect to foreign persons that contravene the obligations of China under the Joint Declaration or the Basic Law.
- Sec. 1707. Sanctions with respect to foreign financial institutions that conduct significant transactions with foreign persons that contravene the obligations of China under the Joint Declaration or the Basic Law.
- Sec. 1708. Waiver, termination, exceptions, and congressional review process.
- Sec. 1709. Implementation; penalties.
- Sec. 1710. Rule of construction.
- Sec. 1711. Exception relating to importation of goods.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Authorization of appropriations, Army.
- Sec. 2104. Modification of authority to carry out fiscal year 2017 project at Camp Walker, Korea.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of authority to carry out fiscal year 2018 project at Royal Air Force Lakenheath.
- Sec. 2306. Modification of authority to carry out certain fiscal year 2019 projects.
- Sec. 2307. Modification of authority to carry out certain fiscal year 2020 family housing projects.
- Sec. 2308. Modification of authority to carry out certain fiscal year 2020 projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.
- Sec. 2503. Execution of projects under the North Atlantic Treaty Organization Security Investment Program.

Subtitle B—Host Country In-Kind Contributions

- Sec. 2511. Republic of Korea funded construction projects.
- Sec. 2512. Qatar funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.
- Sec. 2607. Modification of authority to carry out fiscal year 2020 project in Alabama.

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.
- Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.
- Sec. 2703. Plan to finish remediation activities conducted by the Secretary of the Army in Umatilla, Oregon.

TITLE XXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

- Sec. 2801. Responsibility of Navy for military construction requirements for certain Fleet Readiness Centers.
- Sec. 2802. Construction of ground-based strategic deterrent launch facilities and launch centers for Air Force.

Subtitle B—Military Family Housing

- Sec. 2821. Prohibition on substandard family housing units.
- Sec. 2822. Technical corrections to privatized military housing program.
- Sec. 2823. Requirement that Secretary of Defense implement recommendations relating to military family housing contained in report by Inspector General of Department of Defense.

Subtitle C—Project Management and Oversight Reforms

- Sec. 2841. Promotion of energy resilience and energy security in privatized utility systems.
- Sec. 2842. Consideration of energy security and energy resilience in life-cycle cost for military construction.

Subtitle D—Land Conveyances

- Sec. 2861. Renewal of Fallon Range Training Complex land withdrawal and reservation.
- Sec. 2862. Renewal of Nevada Test and Training Range land withdrawal and reservation.
- Sec. 2863. Transfer of land under the administrative jurisdiction of the Department of the Interior within Naval Support Activity Panama City, Florida.
- Sec. 2864. Land conveyance, Camp Navajo, Arizona.

Subtitle E—Other Matters

- Sec. 2881. Military family readiness considerations in basing decisions.
- Sec. 2882. Prohibition on use of funds to reduce air base resiliency or demolish protected aircraft shelters in the European theater without creating a similar protection from attack.
- Sec. 2883. Prohibitions relating to closure or returning to host nation of existing bases under the European Consolidation Initiative.
- Sec. 2884. Enhancement of authority to accept conditional gifts of real property on behalf of military museums.
- Sec. 2885. Equal treatment of insured depository institutions and credit unions operating on military installations.
- Sec. 2886. Report on operational aviation units impacted by noise restrictions or noise mitigation measures.
- Sec. 2887. Transfer of funds for Oklahoma City national memorial endowment fund.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

- Sec. 2901. Authorized Navy construction and land acquisition projects.
- Sec. 2902. Authorized Air Force construction and land acquisition projects.
- Sec. 2903. Authorization of appropriations.
- Sec. 2904. Replenishment of certain military constructions funds.

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.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
- Sec. 3104. Nuclear energy.

Subtitle B—Budget of the National Nuclear Security Administration

- Sec. 3111. Review of adequacy of nuclear weapons budget.

Subtitle C—Personnel Matters

- Sec. 3121. National Nuclear Security Administration Personnel System.
- Sec. 3122. Inclusion of certain employees and contractors of Department of Energy in definition of public safety officer for purposes of certain death benefits.
- Sec. 3123. Reimbursement for liability insurance for nuclear materials couriers.
- Sec. 3124. Transportation and moving expenses for immediate family of deceased nuclear materials couriers.
- Sec. 3125. Extension of authority for appointment of certain scientific, engineering, and technical personnel.

Subtitle D—Cybersecurity

- Sec. 3131. Reporting on penetrations of networks of contractors and sub-contractors.

Sec. 3132. Clarification of responsibility for cybersecurity of National Nuclear Security Administration facilities.

Subtitle E—Defense Environmental Cleanup

Sec. 3141. Public statement of environmental liabilities for facilities undergoing defense environmental cleanup.

Sec. 3142. Inclusion of missed milestones in future-years defense environmental cleanup plan.

Sec. 3143. Classification of defense environmental cleanup as capital asset projects or operations activities.

Sec. 3144. Continued analysis of approaches for supplemental treatment of low-activity waste at Hanford Nuclear Reservation.

Subtitle F—Other Matters

Sec. 3151. Modifications to enhanced procurement authority to manage supply chain risk.

Sec. 3152. Prohibition on use of laboratory- or production facility-directed research and development funds for general and administrative overhead costs.

Sec. 3153. Monitoring of industrial base for nuclear weapons components, subsystems, and materials.

Sec. 3154. Prohibition on use of funds for advanced naval nuclear fuel system based on low-enriched uranium.

Sec. 3155. Authorization of appropriations for W93 nuclear warhead program.

Sec. 3156. Review of future of computing beyond exascale at the National Nuclear Security Administration.

Sec. 3157. Application of requirement for independent cost estimates and reviews to new nuclear weapon systems.

Sec. 3158. Extension and expansion of limitations on importation of uranium from Russian Federation.

Sec. 3159. Integration of stockpile stewardship and nonproliferation missions.

Sec. 3160. Technology development and integration program.

Sec. 3161. Advanced manufacturing development program.

Sec. 3162. Materials science program.

Sec. 3163. Modifications to Inertial Confinement Fusion Ignition and High Yield Program.

Sec. 3164. Earned value management program for life extension programs.

Sec. 3165. Use of high performance computing capabilities for COVID-19 research.

Sec. 3166. Availability of stockpile responsiveness funds for projects to reduce time necessary to execute a nuclear test.

Sec. 3167. Sense of the Senate on extension of limitations on importation of uranium from Russian Federation.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

Sec. 3202. Nonpublic collaborative discussions by Defense Nuclear Facilities Safety Board.

Sec. 3203. Improvements to operations of Defense Nuclear Facilities Safety Board.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Maritime Administration.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. PROCUREMENT.

Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION

Sec. 4201. Research, development, test, and evaluation.

Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

Sec. 4602. Military construction for overseas contingency operations.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS

Sec. 4701. Department of Energy national security programs.

DIVISION E—ADDITIONAL PROVISIONS

TITLE LI—PROCUREMENT

Subtitle B—Army Programs

Sec. 5111. Report on CH-47F Chinook Block-II upgrade.

Subtitle C—Navy Programs

Sec. 5121. Limitation on alteration of Navy fleet mix.

TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 5211. Importance of historically Black colleges and universities and minority-serving institutions.

Subtitle C—Sustainable Chemistry

- Sec. 5221. National coordinating entity for sustainable chemistry.
- Sec. 5222. Strategic plan for sustainable chemistry.
- Sec. 5223. Agency activities in support of sustainable chemistry.
- Sec. 5224. Partnerships in sustainable chemistry.
- Sec. 5225. Prioritization.
- Sec. 5226. Rule of construction.
- Sec. 5227. Major multi-user research facility project.

Subtitle D—Cyber Workforce Matters

- Sec. 5231. Improving National Initiative for Cybersecurity Education.
- Sec. 5232. Development of standards and guidelines for improving cybersecurity workforce of Federal agencies.
- Sec. 5233. Modifications to Federal cyber scholarship-for-service program.
- Sec. 5234. Modifications to Federal cyber scholarship-for-service program.
- Sec. 5235. Cybersecurity in programs of the National Science Foundation.
- Sec. 5236. Cybersecurity in STEM programs of the National Aeronautics and Space Administration.
- Sec. 5237. Cybersecurity in Department of Transportation programs.
- Sec. 5238. National Cybersecurity Challenges.
- Sec. 5239. Internet of Things.

Subtitle E—Plans, Reports, and Other Matters

- Sec. 5241. Report on Department of Defense strategy on artificial intelligence standards.
- Sec. 5242. Study on establishment of energetics program office.
- Sec. 5243. Deepfake report.
- Sec. 5244. CISA Director.
- Sec. 5245. Agency review.
- Sec. 5246. General Services Administration review.

TITLE LIII—OPERATION AND MAINTENANCE

Subtitle C—Logistics and Sustainment

- Sec. 5331. Use of cost savings realized from intergovernmental services agreements for installation-support services.

Subtitle D—Reports

- Sec. 5351. Report on non-permissive, global positioning system denied airfield capabilities.

Subtitle E—Other Matters

- Sec. 5371. Increase of amounts available to Marine Corps for base operations and support.
- Sec. 5372. Modernization of congressional reports process.

TITLE LV—MILITARY PERSONNEL POLICY

Subtitle C—General Service Authorities

- Sec. 5516. Report on implementation of recommendations of the Comptroller General of the United States on recruitment and retention of female members of the Armed Forces.

Subtitle F—Decorations and Awards

Sec. 5551. Report on regulations and procedures to implement programs on award of medals or commendations to handlers of military working dogs.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

PART II—MILITARY FAMILY READINESS MATTERS

Sec. 5571. Independent study and report on military spouse underemployment.

Subtitle H—Other Matters

Sec. 5586. Questions regarding racism, anti-Semitism, and supremacism in workplace surveys administered by the Secretary of Defense.

Sec. 5587. Briefing on the implementation of requirements on connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.

Sec. 5590. Pilot programs on remote provision by National Guard to State governments and National Guards of other States of cybersecurity technical assistance in training, preparation, and response to cyber incidents.

TITLE LVII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Provisions

Sec. 5707. Pilot program on receipt of non-generic prescription maintenance medications under TRICARE pharmacy benefits program.

Subtitle B—Health Care Administration

Sec. 5723. Authority of Secretary of Defense to waive requirements during national emergencies for purposes of provision of health care.

Subtitle C—Reports and Other Matters

Sec. 5741. Study and report on surge capacity of Department of Defense to establish negative air room containment systems in military medical treatment facilities.

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

Subtitle A—Industrial Base Matters

Sec. 5801. Report on use of domestic nonavailability determinations.

Sec. 5802. Report on the effect of the Defense Manufacturing Communities Support Program on the defense supply chain.

Sec. 5803. Improving implementation of policy pertaining to the national technology and industrial base.

Sec. 5808. Additional requirements pertaining to printed circuit boards.

Sec. 5812. Miscellaneous limitations on the procurement of goods other than United States goods.

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

Sec. 5841. Waivers of certain conditions for progress payments under certain contracts during the COVID–19 national emergency.

Subtitle E—Small Business Matters

- Sec. 5871. Office of Small Business and Disadvantaged Business Utilization.
 Sec. 5872. Eligibility of the Commonwealth of the Northern Mariana Islands for certain Small Business Administration programs.
 Sec. 5873. Disaster declaration in rural areas.
 Sec. 5874. Temporary extension for 8(a) participants.
 Sec. 5875. Maximum award price for sole source manufacturing contracts.
 Sec. 5876. Annual reports regarding the SBIR program of the Department of Defense.
 Sec. 5877. Small business loans for nonprofit child care providers.

Subtitle G—Other Matters

- Sec. 5891. Listing of other transaction authority consortia.
 Sec. 5892. Report recommending disposition of notes to certain sections of title 10, United States Code.
 Sec. 5893. Applicability of reporting requirement related to notional milestones and standard timelines for foreign military sales.
 Sec. 5894. Additional requirements related to mitigating risks related to foreign ownership, control, or influence of Department of Defense contractors and subcontractors.

TITLE LIX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle D—Organization and Management of Other Department of Defense Offices and Elements

- Sec. 5951. Comptroller General of the United States report on vulnerabilities of the Department of Defense resulting from offshore technical support call centers.

TITLE LX—GENERAL PROVISIONS

Subtitle A—Financial Matters

- Sec. 6001. Under Secretary of Defense (Comptroller) reports on improving the budget justification and related materials of the Department of Defense.
 Sec. 6002. Report on fiscal year 2022 budget request requirements in connection with Air Force operations in the Arctic.
 Sec. 6003. Providing information to States regarding undelivered savings bonds.

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 6046. Conditions for permanently basing United States equipment or additional military units in host countries with at-risk vendors in 5G or 6G networks.
 Sec. 6047. Antidiscrimination.

Subtitle F—Studies and Reports

- Sec. 6061. Maritime security and domain awareness.

- Sec. 6062. Report on pandemic preparedness and planning of the Navy.
 Sec. 6063. Study and report on the affordability of insulin.

Subtitle G—Other Matters

- Sec. 6081. Modification to First Division monument.
 Sec. 6082. Estimate of damages from Federal Communications Commission Order 20–48.
 Sec. 6083. Diesel emissions reduction.
 Sec. 6084. Utilizing significant emissions with innovative technologies.
 Sec. 6085. Legal assistance for veterans and surviving spouses and dependents.
 Sec. 6086. Silver Star Service Banner Day.
 Sec. 6087. Established Program to Stimulate Competitive Research.
 Sec. 6088. Subpoena authority.
 Sec. 6089. Thad Cochran headquarters building.
 Sec. 6090. Comptroller General of the United States report on handling by Department of Veterans Affairs of disability-related benefits claims by veterans with type 1 diabetes who were exposed to a herbicide agent.
 Sec. 6091. Special rules for certain monthly workers' compensation payments and other payments for Federal Government personnel under chief of mission authority.

Subtitle H—Industries of the Future

- Sec. 6094A. Short title.
 Sec. 6094B. Report on Federal research and development focused on industries of the future.
 Sec. 6094C. Industries of the Future Coordination Council.

Subtitle I—READI Act

- Sec. 6096. Short title.
 Sec. 6096A. Definitions.
 Sec. 6096B. Wireless Emergency Alerts System offerings.
 Sec. 6096C. State Emergency Alert System Plans and Emergency Communications Committees.
 Sec. 6096D. Integrated public alert and warning system guidance.
 Sec. 6096E. False alert reporting.
 Sec. 6096F. Repeating Emergency Alert System messages for national security.
 Sec. 6096G. Internet and online streaming services emergency alert examination.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 6211. Congressional oversight of United States talks with Taliban officials and Afghanistan's comprehensive peace process.

Subtitle D—Matters Relating to Europe and the Russian Federation

- Sec. 6231. Clarification and expansion of sanctions relating to construction of Nord Stream 2 or TurkStream pipeline projects.
 Sec. 6235. Sense of Senate on admission of Ukraine to the North Atlantic Treaty Organization Enhanced Opportunities Partnership Program.

Subtitle E—Matters Relating to the Indo-Pacific Region

- Sec. 6251. Pilot program to improve cyber cooperation with Vietnam, Thailand, and Indonesia.

Subtitle F—Reports

- Sec. 6273. Report on risk to personnel, equipment, and operations due to Huawei 5G architecture in host countries.

Subtitle G—Other Matters

- Sec. 6281. Comparative studies on defense budget transparency of the People's Republic of China, the Russian Federation, and the United States.
- Sec. 6282. Modification to initiative to support protection of national security academic researchers from undue influence and other security threats.
- Sec. 6283. Sense of Senate on United States-Israel cooperation on precision-guided munitions.
- Sec. 6284. Blocking deadly fentanyl imports.
- Sec. 6286. Establishment of United States-Israel Operations-Technology Working Group.

Subtitle H—United States-Israel Security Assistance

- Sec. 6290. Short title.
- Sec. 6290A. Definition.

CHAPTER 1—SECURITY ASSISTANCE FOR ISRAEL

- Sec. 6291. Findings.
- Sec. 6292. Statement of policy.
- Sec. 6293. Security assistance for Israel.
- Sec. 6294. Extension of war reserves stockpile authority.
- Sec. 6295. Extension of loan guarantees to Israel.
- Sec. 6296. Transfer of precision guided munitions to Israel.
- Sec. 6297. Sense of Congress on rapid acquisition and deployment procedures.
- Sec. 6298. Eligibility of Israel for the strategic trade authorization exception to certain export control licensing requirements.

CHAPTER 2—ENHANCED UNITED STATES-ISRAEL COOPERATION

- Sec. 6299. United States Agency for International Development memoranda of understanding to enhance cooperation with Israel.
- Sec. 6299A. Cooperative projects among the United States, Israel, and developing countries.
- Sec. 6299B. Joint cooperative program related to innovation and high-tech for the Middle East region.
- Sec. 6299C. Sense of Congress on United States-Israel economic cooperation.
- Sec. 6299D. Cooperation on directed energy capabilities.
- Sec. 6299E. Plans to provide Israel with necessary defense articles and services in a contingency.
- Sec. 6299F. Other matters of cooperation.

TITLE LXVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle B—Cyberspace Related Matters

- Sec. 6611. Report on use of encryption by Department of Defense national security systems.
- Sec. 6612. Guidance and direction on use of direct hiring processes for artificial intelligence professionals and other data science and software development personnel.
- Sec. 6613. Cybersecurity State Coordinator Act.
- Sec. 6614. Cybersecurity Advisory Committee.
- Sec. 6615. Cybersecurity Education and Training Assistance Program.

Subtitle C—Nuclear Forces

- Sec. 6651. Report on electromagnetic pulse hardening of ground-based strategic deterrent weapons system.

TITLE LXVII—NUCLEAR ENERGY LEADERSHIP

- Sec. 6701. Advanced nuclear reactor research and development goals.
- Sec. 6702. Nuclear energy strategic plan.
- Sec. 6703. Versatile, reactor-based fast neutron source.
- Sec. 6704. Advanced nuclear fuel security program.
- Sec. 6705. University Nuclear Leadership Program.
- Sec. 6706. Adjusting strategic petroleum reserve mandated drawdowns.

TITLE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

- Sec. 7801. Modification to authority for military construction projects for child development centers at military installations.
- Sec. 7802. Modification of construction of ground-based strategic deterrent launch facilities and launch centers for the Air Force.

Subtitle B—Military Family Housing

- Sec. 7821. Inclusion of assessment of performance metrics in annual publication on use of incentive fees for privatized military housing projects.

Subtitle D—Land Conveyances

- Sec. 7861. Establishment of interagency committees on joint use of certain land withdrawn from appropriation under public land laws.
- Sec. 7862. Lease extension for Bryan Multi-Sports Complex, Wayne County, North Carolina.

Subtitle E—Other Matters

- Sec. 7881. Sense of Congress on relocation of Joint Spectrum Center.

TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle F—Other Matters

- Sec. 8159. Extension and expansion of limitations on importation of uranium from Russian Federation.

DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
YEAR 2021

- Sec. 9001. Short title.
Sec. 9002. Definitions.

TITLE XCI—INTELLIGENCE ACTIVITIES

- Sec. 9101. Authorization of appropriations.
Sec. 9102. Classified Schedule of Authorizations.
Sec. 9103. Intelligence Community Management Account.

TITLE XCII—CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM

- Sec. 9201. Authorization of appropriations.

TITLE XCIII—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

- Sec. 9301. Restriction on conduct of intelligence activities.
Sec. 9302. Increase in employee compensation and benefits authorized by law.
Sec. 9303. Clarification of authorities and responsibilities of National Manager for National Security Telecommunications and Information Systems Security.
Sec. 9304. Continuity of operations plans for certain elements of the intelligence community in the case of a national emergency.
Sec. 9305. Application of Executive Schedule level III to position of Director of National Reconnaissance Office.
Sec. 9306. National Intelligence University.
Sec. 9307. Requiring facilitation of establishment of Social Media Data and Threat Analysis Center.
Sec. 9308. Data collection on attrition in intelligence community.
Sec. 9309. Limitation on delegation of responsibility for program management of information-sharing environment.
Sec. 9310. Improvements to provisions relating to intelligence community information technology environment.
Sec. 9311. Requirements and authorities for Director of the Central Intelligence Agency to improve education in science, technology, engineering, arts, and mathematics.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

- Sec. 9321. Assessment by the Comptroller General of the United States on efforts of the intelligence community and the Department of Defense to identify and mitigate risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.
Sec. 9322. Report on use by intelligence community of hiring flexibilities and expedited human resources practices to assure quality and diversity in the workforce of the intelligence community.
Sec. 9323. Report on signals intelligence priorities and requirements.
Sec. 9324. Assessment of demand for student loan repayment program benefit.
Sec. 9325. Assessment of intelligence community demand for child care.

Sec. 9326. Open source intelligence strategies and plans for the intelligence community.

**TITLE XCIV—SECURITY CLEARANCES AND TRUSTED
WORKFORCE**

Sec. 9401. Exclusivity, consistency, and transparency in security clearance procedures, and right to appeal.

Sec. 9402. Establishing process parity for security clearance revocations.

Sec. 9403. Federal policy on sharing of derogatory information pertaining to contractor employees in the trusted workforce.

TITLE XCV—REPORTS AND OTHER MATTERS

Sec. 9501. Report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, certain allies of the United States.

Sec. 9502. Report on threats posed by use by foreign governments and entities of commercially available cyber intrusion and surveillance technology.

Sec. 9503. Reports on recommendations of the Cyberspace Solarium Commission.

Sec. 9504. Assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.

Sec. 9505. Combating Chinese influence operations in the United States and strengthening civil liberties protections.

Sec. 9506. Annual report on corrupt activities of senior officials of the Chinese Communist Party.

Sec. 9507. Report on corrupt activities of Russian and other Eastern European oligarchs.

Sec. 9508. Report on biosecurity risk and disinformation by the Chinese Communist Party and the Government of the People’s Republic of China.

Sec. 9509. Report on effect of lifting of United Nations arms embargo on Islamic Republic of Iran.

Sec. 9510. Report on Iranian activities relating to nuclear nonproliferation.

Sec. 9511. Sense of Congress on Third Option Foundation.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

2 In this Act, the term “congressional defense commit-
3 tees” has the meaning given that term in section
4 101(a)(16) of title 10, United States Code.

5 SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

6 The budgetary effects of this Act, for the purposes
7 of complying with the Statutory Pay-As-You-Go Act of
8 2010, shall be determined by reference to the latest state-

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

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

13 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

14 Funds are hereby authorized to be appropriated for
 15 fiscal year 2021 for procurement for the Army, the Navy
 16 and the Marine Corps, the Air Force, and Defense-wide
 17 activities, as specified in the funding table in section 4101.

18 **Subtitle B—Army Programs**

19 **SEC. 111. INTEGRATED AIR AND MISSILE DEFENSE ASSESS-**
 20 **MENT.**

21 (a) ASSESSMENT BY SECRETARY OF THE ARMY.—

22 (1) IN GENERAL.—The Secretary of the Army
 23 shall conduct a classified assessment of the capa-
 24 bility and capacity of current and planned integrated
 25 air and missile defense (IAMD) capabilities to meet

1 combatant commander requirements for major oper-
2 ations against great-power competitors and other
3 global operations in support of the National Defense
4 Strategy.

5 (2) ELEMENTS.—The assessment required by
6 paragraph (1) shall include the following:

7 (A) Analysis and characterization of cur-
8 rent and emerging threats, including the fol-
9 lowing:

10 (i) Cruise, hypersonic, and ballistic
11 missiles.

12 (ii) Unmanned aerial systems.

13 (iii) Rockets.

14 (iv) Other indirect fire.

15 (v) Specific and meaningfully varied
16 examples within each of subclauses (I)
17 through (IV).

18 (B) Analysis of current and planned inte-
19 grated air and missile defense capabilities to
20 counter the threats analyzed and characterized
21 under subparagraph (A), including the fol-
22 lowing:

23 (i) Projected timelines for develop-
24 ment, procurement, and fielding of planned

1 integrated air and missile defense capabili-
2 ties.

3 (ii) Projected capability gaps.

4 (iii) Opportunities for acceleration or
5 need for incorporation of interim capabili-
6 ties to address current and projected gaps.

7 (C) Analysis of current and planned capaci-
8 ty to meet major contingency plan require-
9 ments and ongoing global operations of the
10 combatant commands, including the following:

11 (i) Current and planned numbers of
12 integrated air and missile defense systems
13 and formations, including munitions.

14 (ii) Capacity gaps in addressing com-
15 batant command requirements.

16 (iii) Operations tempo stress on inte-
17 grated air and missile defense formations
18 and personnel.

19 (iv) Plans of the Secretary to continue
20 to increase integrated air and missile de-
21 fense personnel and formations.

22 (D) Assessment of integrated air and mis-
23 sile defense architecture and enabling command
24 and control systems, including the following:

1 (i) A description of the integrated air
2 and missile defense architecture and com-
3 ponent counter unmanned aerial systems
4 (C-UAS) sub-architecture.

5 (ii) Identification of the enabling com-
6 mand and control (C2) systems.

7 (iii) Inter-connectivity of the enabling
8 command and control systems.

9 (iv) Compatibility of the enabling
10 command and control systems with
11 planned Joint All Domain Command and
12 Control (JADC2) architecture.

13 (E) Assessment of proponenty within the
14 Army of integrated air and missile defense and
15 counter unmanned aerial systems, including the
16 following:

17 (i) A description of the current
18 proponenty structure.

19 (ii) Adequacy of the current
20 proponenty structure to facilitate Army ex-
21 ecutive agency integrated air and missile
22 defense and counter unmanned aerial sys-
23 tems functions for the Department of De-
24 fense.

1 (iii) Benefits of establishing inte-
2 grated air and missile defense and counter
3 unmanned aerial systems centers of excel-
4 lence to help focus Army and joint force ef-
5 forts to achieving a functional integrated
6 air and missile defense capability and ca-
7 pacity to meet requirements of the combat-
8 ant commands.

9 (3) CHARACTERIZATION.—

10 (A) IN GENERAL.—In carrying out para-
11 graph (2)(A), the Secretary shall avoid broad
12 characterizations that do not sufficiently distin-
13 guish between distinctly different threats in the
14 same general class.

15 (B) EXAMPLE.—An example of a broad
16 characterization to be avoided under such para-
17 graph is “cruise missiles”, since such character-
18 ization does not sufficiently distinguish between
19 current cruise missiles and emerging hypersonic
20 cruise missiles, which may require different ca-
21 pabilities to counter them.

22 (4) REPORT AND INTERIM BRIEFING.—

23 (A) INTERIM BRIEFING.—Not later than
24 December 15, 2020, the Secretary shall provide
25 the Committee on Armed Services of the Senate

1 and Committee on Armed Services of the House
2 of Representatives a briefing on the assessment
3 being conducted by the Secretary under para-
4 graph (1).

5 (B) REPORT.—Not later than February
6 15, 2021, the Secretary shall submit to the
7 Committee on Armed Services of the Senate
8 and Committee on Armed Services of the House
9 of Representatives a report on the findings of
10 the Secretary with respect to the assessment
11 conducted under paragraph (1).

12 (b) REVIEW BY VICE CHAIRMAN OF THE JOINT
13 CHIEFS OF STAFF.—

14 (1) REVIEW.—The Vice Chairman of the Joint
15 Chiefs of Staff shall review the assessment being
16 conducted under subsection (a)(1) for potential gaps
17 in capability and capacity to meet requirements of
18 the National Defense Strategy.

19 (2) REPORT.—Not later than April 15, 2021,
20 the Vice Chairman of the Joint Chiefs of Staff shall
21 submit to the Committee on Armed Services of the
22 Senate and Committee on Armed Services of the
23 House of Representatives a report on the finding of
24 the Vice Chairman with respect to the review con-
25 ducted under paragraph (1).

1 **SEC. 112. REPORT AND LIMITATION ON INTEGRATED VIS-**
2 **UAL AUGMENTATION SYSTEM ACQUISITION.**

3 (a) **REPORT REQUIRED.**—

4 (1) **IN GENERAL.**—Not later than August 15,
5 2021, the Secretary of the Army shall submit to the
6 congressional defense committees a report on the In-
7 tegrated Visual Augmentation System (IVAS) subse-
8 quent to the completion of operational testing.

9 (2) **ELEMENTS REQUIRED.**—The report re-
10 quired by paragraph (1) shall include the following:

11 (A) Certification of the IVAS acquisition
12 strategy, to include production model costs, full
13 rate production schedule, and identification of
14 any changes resulting from operational testing.

15 (B) Certification of technology levels being
16 utilized in the full rate production model.

17 (C) Certification of operational suitability
18 and soldier acceptability of the production
19 model IVAS.

20 (b) **LIMITATION ON USE OF FUNDS.**—Not more than
21 50 percent of the amounts authorized to be appropriated
22 by this Act for fiscal year 2021 for procurement of the
23 Integrated Visual Augmentation System may be obligated
24 or expended until the Secretary submits to the congres-
25 sional defense committees the report required under sub-
26 section (a).

1 **SEC. 113. MODIFICATIONS TO REQUIREMENT FOR AN IN-**
2 **TERIM CRUISE MISSILE DEFENSE CAPA-**
3 **BILITY.**

4 (a) **PLAN.**—Not later than January 15, 2021, the
5 Secretary of the Army shall submit to the congressional
6 defense committees the plan, including a timeline, to oper-
7 ationally deploy or forward station the two batteries of in-
8 terim cruise missile defense capability procured pursuant
9 to section 112 of the John S. McCain National Defense
10 Authorization Act for Fiscal Year 2019 (Public Law 115–
11 232; 132 Stat. 1660) in an operational theater or theaters.

12 (b) **MODIFICATION OF WAIVER.**—Section 112(b)(4)
13 of the John S. McCain National Defense Authorization
14 Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat.
15 1661) is amended to read as follows:

16 “(4) **WAIVER.**—The Secretary of the Army may
17 waive the deadlines specified in paragraph (1):

18 “(A) For the deadline specified in para-
19 graph (1)(A), if the Secretary determines that
20 sufficient funds have not been appropriated to
21 enable the Secretary to meet such deadline.

22 “(B) For the deadline specified in para-
23 graph (1)(B), if the Secretary submits to the
24 congressional defense committees a certification
25 that—

1 “(i) allocating resources toward pro-
2 curement of an integrated enduring capa-
3 bility would provide robust tiered and lay-
4 ered protection to the joint force; or

5 “(ii) additional time is required to
6 complete training and preparation for
7 operational capability.”.

8 **Subtitle C—Navy Programs**

9 **SEC. 121. CONTRACT AUTHORITY FOR COLUMBIA-CLASS** 10 **SUBMARINE PROGRAM.**

11 (a) **CONTRACT AUTHORITY.**—The Secretary of the
12 Navy may enter into a contract, beginning with fiscal year
13 2021, for the procurement of up to two Columbia-class
14 submarines.

15 (b) **INCREMENTAL FUNDING.**—With respect to a con-
16 tract entered into under subsection (a), the Secretary of
17 the Navy may use incremental funding to make payments
18 under the contract.

19 (c) **LIABILITY.**—Any contract entered into under sub-
20 section (a) shall provide that—

21 (1) any obligation of the United States to make
22 a payment under the contract is subject to the avail-
23 ability of appropriations for that purpose; and

24 (2) total liability of the Federal Government for
25 termination of any contract entered into shall be

1 limited to the total amount of funding obligated to
2 the contract at time of termination.

3 **SEC. 122. LIMITATION ON NAVY MEDIUM AND LARGE UN-**
4 **MANNED SURFACE VESSELS.**

5 (a) MILESTONE B APPROVAL REQUIREMENTS.—

6 Milestone B approval may not be granted for a covered
7 program unless such program accomplishes prior to and
8 incorporates into such approval—

9 (1) qualification by the Senior Technical Au-
10 thority of—

11 (A) at least two different main propulsion
12 engines and ancillary equipment, including the
13 fuel and lube oil systems; and

14 (B) at least two different electrical genera-
15 tors and ancillary equipment;

16 (2) final results of test programs of engineering
17 development models or prototypes for critical sys-
18 tems specified by the Senior Technical Authority in
19 their final form, fit, and function and in a realistic
20 environment; and

21 (3) a determination by the milestone decision
22 authority of the minimum number of vessels, dis-
23 crete test events, performance parameters to be test-
24 ed, and schedule required to complete initial oper-

1 ational test and evaluation and demonstrate oper-
2 ational suitability and operational effectiveness.

3 (b) QUALIFICATION REQUIREMENTS.—The qualifica-
4 tion required in subsection (a)(1) shall include a land-
5 based operational demonstration of such equipment in the
6 vessel-representative form, fit, and function for not less
7 than 1,080 continuous hours without preventative mainte-
8 nance, corrective maintenance, emergent repair, or any
9 other form of repair or maintenance.

10 (c) REQUIREMENT TO USE QUALIFIED ENGINES AND
11 GENERATORS.—The Secretary of the Navy shall require
12 that covered programs use only main propulsion engines
13 and electrical generators that are qualified under sub-
14 section (a)(1).

15 (d) LIMITATION.—The Secretary of the Navy may
16 not release a detail design or construction request for pro-
17 posals or obligate funds from a procurement account for
18 a covered program until such program receives Milestone
19 B approval and the milestone decision authority notifies
20 the congressional defense committees, in writing, of the
21 actions taken to comply with the requirements under this
22 section.

23 (e) DEFINITIONS.—In this section:

24 (1) The term “covered program” means a pro-
25 gram for—

1 (A) medium unmanned surface vessels; or

2 (B) large unmanned surface vessels.

3 (2) The term “Milestone B approval” has the
4 meaning given the term in section 2366(e)(7) of title
5 10, United States Code.

6 (3) The term “milestone decision authority”
7 means the official within the Department of Defense
8 designated with the overall responsibility and au-
9 thority for acquisition decisions for the program, in-
10 cluding authority to approve entry of the program
11 into the next phase of the acquisition process.

12 (4) The term “Senior Technical Authority” has
13 the meaning given the term in section 8669b of title
14 10, United States Code.

15 **SEC. 123. EXTENSION OF PROHIBITION ON AVAILABILITY**
16 **OF FUNDS FOR NAVY WATERBORNE SECU-**
17 **RITY BARRIERS.**

18 Section 130(a) of the John S. McCain National De-
19 fense Authorization Act for Fiscal Year 2019 (Public Law
20 115–232; 132 Stat. 1665), as amended by section 126 of
21 the National Defense Authorization Act for Fiscal Year
22 2020 (Public Law 116–92), is further amended by strik-
23 ing “for fiscal year 2019 or fiscal year 2020” and insert-
24 ing “for fiscal years 2019, 2020, or 2021”.

1 **SEC. 124. PROCUREMENT AUTHORITIES FOR CERTAIN AM-**
2 **PHIBIOUS SHIPBUILDING PROGRAMS.**

3 (a) CONTRACT AUTHORITY.—

4 (1) PROCUREMENT AUTHORIZED.—In fiscal
5 year 2021, the Secretary of the Navy may enter into
6 one or more contracts for the procurement of three
7 San Antonio-class amphibious ships and one Amer-
8 ica-class amphibious ship.

9 (2) PROCUREMENT IN CONJUNCTION WITH EX-
10 ISTING CONTRACTS.—The ships authorized to be
11 procured under paragraph (1) may be procured as
12 additions to existing contracts covering such pro-
13 grams.

14 (b) CERTIFICATION REQUIRED.—A contract may not
15 be entered into under subsection (a) unless the Secretary
16 of the Navy certifies to the congressional defense commit-
17 tees, in writing, not later than 30 days before entry into
18 the contract, each of the following, which shall be prepared
19 by the milestone decision authority for such programs:

20 (1) The use of such a contract is consistent
21 with the Department of the Navy's projected force
22 structure requirements for amphibious ships.

23 (2) The use of such a contract will result in sig-
24 nificant savings compared to the total anticipated
25 costs of carrying out the program through annual
26 contracts. In certifying cost savings under the pre-

1 ceding sentence, the Secretary shall include a writ-
2 ten explanation of—

3 (A) the estimated end cost and appro-
4 priated funds by fiscal year, by hull, without
5 the authority provided in subsection (a);

6 (B) the estimated end cost and appro-
7 priated funds by fiscal year, by hull, with the
8 authority provided in subsection (a);

9 (C) the estimated cost savings or increase
10 by fiscal year, by hull, with the authority pro-
11 vided in subsection (a);

12 (D) the discrete actions that will accom-
13 plish such cost savings or avoidance; and

14 (E) the contractual actions that will ensure
15 the estimated cost savings are realized.

16 (3) There is a reasonable expectation that
17 throughout the contemplated contract period the
18 Secretary of the Navy will request funding for the
19 contract at the level required to avoid contract can-
20 cellation.

21 (4) There is a stable design for the property to
22 be acquired and the technical risks associated with
23 such property are not excessive.

24 (5) The estimates of both the cost of the con-
25 tract and the anticipated cost avoidance through the

1 use of a contract authorized under subsection (a)
2 are realistic.

3 (6) The use of such a contract will promote the
4 national security of the United States.

5 (7) During the fiscal year in which such con-
6 tract is to be awarded, sufficient funds will be avail-
7 able to perform the contract in such fiscal year, and
8 the future-years defense program (as defined under
9 section 221 of title 10, United States Code) for such
10 fiscal year will include the funding required to exe-
11cute the program without cancellation.

12 (c) AUTHORITY FOR ADVANCE PROCUREMENT.—The
13 Secretary of the Navy may enter into one or more con-
14 tracts for advance procurement associated with a vessel
15 or vessels for which authorization to enter into a contract
16 is provided under subsection (a), and for systems and sub-
17 systems associated with such vessels in economic order
18 quantities when cost savings are achievable.

19 (d) CONDITION FOR OUT-YEAR CONTRACT PAY-
20 MENTS.—A contract entered into under subsection (a)
21 shall provide that any obligation of the United States to
22 make a payment under the contract for a fiscal year is
23 subject to the availability of appropriations for that pur-
24 pose for such fiscal year.

1 (e) MILESTONE DECISION AUTHORITY DEFINED.—
2 In this section, the term “milestone decision authority”
3 has the meaning given the term in section 2366a(d) of
4 title 10, United States Code.

5 **SEC. 125. FIGHTER FORCE STRUCTURE ACQUISITION**
6 **STRATEGY.**

7 (a) REPORT REQUIRED.—Not later than March 1,
8 2021, the Secretary of the Navy shall submit to the con-
9 gressional defense committees a report with a fighter force
10 structure acquisition strategy that is aligned with the re-
11 sults of the independent studies required under section
12 1064 of the National Defense Authorization Act for Fiscal
13 Year 2018 (Public Law 115–91; 131 Stat. 1576).The
14 strategy shall establish a minimum number of F–35 and
15 Next Generation Air Dominance (NGAD) aircraft that the
16 Navy and Marine Corps would be required to purchase
17 each year to mitigate or manage strike fighter shortfalls.

18 (b) LIMITATION ON DEVIATION FROM STRATEGY.—
19 The Department of the Navy may not deviate from the
20 acquisition strategy established under subsection (a)
21 until—

22 (1) the Secretary of the Navy receives a waiver
23 and justification from the Secretary of Defense; and

1 (1) An analysis and justification used to reach
2 the 50–50 mix of 4th and 5th generation aircraft for
3 2030.

4 (2) An analysis and justification for the optimal
5 mix of carrier aircraft for 2040.

6 (3) A plan for incorporating unmanned aerial
7 vehicles and associated communication capabilities to
8 effectively implement the future force design.

9 **SEC. 128. REPORT ON STRATEGY TO USE ALQ-249 NEXT**
10 **GENERATION JAMMER TO ENSURE FULL**
11 **SPECTRUM ELECTROMAGNETIC SUPERI-**
12 **ORITY.**

13 (a) **REPORT.**—Not later than July 30, 2021, the Sec-
14 retary of the Navy, in consultation with the Vice Chairman
15 of the Joint Chiefs, shall submit to the congressional de-
16 fense committees report with a strategy to ensure full
17 spectrum electromagnetic superiority using the ALQ–249
18 Next Generation Jammer.

19 (b) **ELEMENTS.**—The report required under sub-
20 section (a) shall include the following elements:

21 (1) A description of the current procurement
22 strategy of the ALQ–249 and the analysis of its ca-
23 pability to meet the RF frequency ranges required in
24 a National Defense Strategy (NDS) conflict.

1 (2) An assessment of the ALQ-249's compat-
2 ibility and ability to synchronize non-kinetic fires
3 using other Joint Electronic Warfare (EW) plat-
4 forms.

5 (3) A future model of an interlinked/inter-
6 dependent electronic warfare menu of options for
7 commanders at tactical, operational, and strategic
8 levels.

9 **Subtitle D—Air Force Programs**

10 **SEC. 141. ECONOMIC ORDER QUANTITY CONTRACTING AU-** 11 **THORITY FOR F-35 JOINT STRIKE FIGHTER** 12 **PROGRAM.**

13 (a) **AUTHORITY FOR ADVANCE PROCUREMENT AND**
14 **ECONOMIC ORDER QUANTITY.**—The Secretary of Defense
15 may enter into one or more contracts, beginning with the
16 fiscal year 2020 program year, for the procurement of eco-
17 nomic order quantities of material and equipment for the
18 F-35 aircraft program for use in procurement contracts
19 to be awarded for such program during fiscal years 2021
20 through 2023.

21 (b) **LIMITATION.**—The total amount obligated in fis-
22 cal year 2021 under all contracts entered into under sub-
23 section (a) shall not exceed \$493,000,000.

24 (c) **PRELIMINARY FINDINGS.**—Before entering into a
25 contract under subsection (a), the Secretary shall make

1 each of the following findings with respect to such con-
2 tract:

3 (1) The use of such a contract will result in sig-
4 nificant savings of the total anticipated costs of car-
5 rying out the program through annual contracts.

6 (2) The minimum need for the property to be
7 procured is expected to remain substantially un-
8 changed during the contemplated contract period in
9 terms of production rate, procurement rate, and
10 total quantities.

11 (3) There is a reasonable expectation that,
12 throughout the contemplated contract period, the
13 Secretary will request funding for the contract at
14 the level required to avoid contract cancellation.

15 (4) There is a stable design for the property to
16 be procured, and the technical risks associated with
17 such property are not excessive.

18 (5) The estimates of both the cost of the con-
19 tract and the anticipated cost avoidance through the
20 use of an economic order quantity contract are real-
21 istic.

22 (6) Entering into the contract will promote the
23 national security interests of the United States.

24 (d) CERTIFICATION REQUIREMENT.—Except as pro-
25 vided in subsection (e), the Secretary of Defense may not

1 enter into a contract under subsection (a) until 30 days
2 after the Secretary certifies to the congressional defense
3 committees, in writing, that each of the following condi-
4 tions is satisfied:

5 (1) A sufficient number of end items of the sys-
6 tem being acquired under such contract have been
7 delivered at or within the most recently available es-
8 timates of the program acquisition unit cost or pro-
9 curement unit cost for such system to determine
10 that the estimates of the unit costs are realistic.

11 (2) During the fiscal year in which such con-
12 tract is to be awarded, sufficient funds will be avail-
13 able to perform the contract in such fiscal year, and
14 the future-years defense program submitted to Con-
15 gress under section 221 of title 10, United States
16 Code, for that fiscal year will include the funding re-
17 quired to execute the program without cancellation.

18 (3) The contract is a fixed-price type contract.

19 (4) The proposed contract provides for produc-
20 tion at not less than minimum economic rates given
21 the existing tooling and facilities.

22 (5) The Secretary has determined that each of
23 the conditions described in paragraphs (1) through
24 (6) of subsection (c) will be met by such contract

1 and has provided the basis for such determination to
2 the congressional defense committees.

3 (6) The determination under paragraph (5) was
4 made after the completion of a cost analysis per-
5 formed by the Director of Cost Assessment and Pro-
6 gram Evaluation for the purpose of section
7 2334(f)(2) of title 10, United States Code, and the
8 analysis supports that determination.

9 (e) EXCEPTION.—Notwithstanding subsection (d),
10 the Secretary of Defense may enter into a contract under
11 subsection (a) on or after December 1, 2020, if—

12 (1) the Director of Cost Assessment and Pro-
13 gram Evaluation has not completed a cost analysis
14 of the preliminary findings made by the Secretary
15 under subsection (c) with respect to the contract;

16 (2) the Secretary certifies to the congressional
17 defense committees, in writing, that each of the con-
18 ditions described in paragraphs (1) through (5) of
19 subsection (d) is satisfied; and

20 (3) a period of 30 days has elapsed following
21 the date on which the Secretary submits the certifi-
22 cation under paragraph (2).

1 **SEC. 142. MINIMUM AIRCRAFT LEVELS FOR MAJOR MIS-**
2 **SION AREAS.**

3 (a) **MINIMUM LEVELS.**—Except as provided under
4 subsection (b), the Secretary of the Air Force shall main-
5 tain the following minima, based on Primary Mission Air-
6 craft Inventory (PMAI):

7 (1) 1,182 Fighter aircraft.

8 (2) 190 Attack Remotely Piloted Aircraft
9 (RPA).

10 (3) 92 Bomber aircraft.

11 (4) 412 Tanker aircraft.

12 (5) 230 Tactical airlift aircraft.

13 (6) 235 Strategic airlift aircraft.

14 (7) 84 Strategic Intelligence, Surveillance, and
15 Reconnaissance (ISR) aircraft.

16 (8) 106 Combat Search and Rescue (CSAR)
17 aircraft.

18 (b) **EXCEPTIONS.**—The Secretary of the Air Force
19 may reduce the number of aircraft in the PMAI of the
20 Air Force below the minima specified in subsection (a)
21 only if—

22 (1) the Secretary certifies to the congressional
23 defense committees that such reduction is justified
24 by the results of the new capability and require-
25 ments studies; and

1 (2) a period of 30 days has elapsed following
2 the date on which the certification is made to the
3 congressional defense committees under paragraph
4 (1).

5 (c) APPLICABILITY.—The limitation in subsection (a)
6 shall not apply to aircraft that the Secretary of the Air
7 Force determines, on a case-by-case basis, to be no longer
8 mission capable because of mishaps, other damage, or
9 being uneconomical to repair.

10 **SEC. 143. MINIMUM OPERATIONAL SQUADRON LEVEL.**

11 As soon as practicable after the date of the enactment
12 of this Act and subject to the availability of appropria-
13 tions, the Secretary of the Air Force shall seek to achieve
14 a minimum of not fewer than 386 available operational
15 squadrons, or equivalent organizational units, within the
16 Air Force. In addition to the operational squadrons, the
17 Secretary shall strive to achieve the following primary mis-
18 sion aircraft inventory (PMAI) numbers:

19 (1) 1,680 Fighter aircraft.

20 (2) 199 Persist attack remotely piloted aircraft
21 (RPA).

22 (3) 225 Bomber aircraft.

23 (4) 500 Air refueling aircraft.

24 (5) 286 Tactical airlift aircraft.

25 (6) 284 Strategic airlift aircraft.

1 (7) 55 Command and control aircraft.

2 (8) 105 Combat search and rescue (CSAR) air-
3 craft.

4 (9) 30 Intelligence, surveillance, and reconnais-
5 sance (ISR) aircraft.

6 (10) 179 Special operations aircraft.

7 (11) 40 Electronic warfare (EW) aircraft.

8 **SEC. 144. MINIMUM AIR FORCE BOMBER AIRCRAFT LEVEL.**

9 The Secretary of Defense shall submit to the congres-
10 sional defense committees recommendations for a min-
11 imum number of bomber aircraft, including penetrating
12 bombers in addition to B-52H aircraft, to enable the Air
13 Force to carry out its long-range penetrating strike capa-
14 bility.

15 **SEC. 145. F-35 GUN SYSTEM.**

16 The Secretary of the Air Force shall begin the pro-
17 curement process for an alternate 25mm ammunition solu-
18 tion that provides a true full-spectrum target engagement
19 capability for the F-35A aircraft.

20 **SEC. 146. PROHIBITION ON FUNDING FOR CLOSE AIR SUP-
21 PORT INTEGRATION GROUP.**

22 No funds authorized to be appropriated by this Act
23 may be obligated or expended for the Close Air Support
24 Integration Group (CIG) or its subordinate units at Nellis
25 Air Force Base, Nevada, and the Air Force may not utilize

1 personnel or equipment in support of the CIG or its subor-
2 dinate units.

3 **SEC. 147. LIMITATION ON DIVESTMENT OF KC-10 AND KC-**
4 **135 AIRCRAFT.**

5 The Secretary of Defense may not divest KC-10 and
6 KC-135 aircraft in excess of the following amounts:

7 (1) In fiscal year 2021, 6 KC-10 aircraft, in-
8 cluding only 3 from primary mission aircraft inven-
9 tory (PMAI).

10 (2) In fiscal year 2022, 12 KC-10 aircraft.

11 (3) In fiscal year 2023, 12 KC-10 and 14 KC-
12 135 aircraft.

13 **SEC. 148. LIMITATION ON RETIREMENT OF U-2 AND RQ-4**
14 **AIRCRAFT.**

15 (a) LIMITATION.—The Secretary of the Air Force
16 may not take any action that would prevent the Air Force
17 from maintaining the fleets of U-2 aircraft or RQ-4 air-
18 craft in their current, or improved, configurations and ca-
19 pabilities until the Chairman of the Joint Requirements
20 Oversight Council certifies in writing to the appropriate
21 committees of Congress that the capability to be fielded
22 at the same time or before the retirement of the U-2 air-
23 craft or RQ-4 aircraft (as the case may be) would result
24 in equal or greater capability available to the commanders
25 of the combatant commands and would not result in less

1 capacity available to the commanders of the combatant
2 commands.

3 (b) WAIVER.—The Secretary of Defense may waive
4 the certification requirement under subsection (a) with re-
5 spect to U–2 aircraft or RQ–4 aircraft if the Secretary—

6 (1) determines, after analyzing sufficient and
7 relevant data, that a loss in capacity and capability
8 will not prevent the combatant commanders from ac-
9 complishing their missions at acceptable levels of
10 risk; and

11 (2) provides to the appropriate committees of
12 Congress a certification of such determination and
13 supporting analysis.

14 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
15 FINED.—In this section, the term “appropriate commit-
16 tees of Congress” means—

17 (1) the Committee on Armed Services, the
18 Committee on Appropriations, and the Select Com-
19 mittee on Intelligence of the Senate; and

20 (2) the Committee on Armed Services, the
21 Committee on Appropriations, and the Permanent
22 Select Committee on Intelligence of the House of
23 Representatives.

1 **SEC. 149. LIMITATION ON DIVESTMENT OF F-15C AIRCRAFT**
2 **IN THE EUROPEAN THEATER.**

3 (a) IN GENERAL.—The Secretary of the Air Force
4 may not divest F-15C aircraft in the European theater
5 until the F-15EX aircraft is integrated into the Air Force
6 and has begun bed down actions in the European theater.

7 (b) WAIVER.—The Secretary of Defense, after con-
8 sultation with the Commander of the United States Euro-
9 pean Command (EUCOM), may waive the limitation
10 under subsection (a) if the Secretary certifies to Congress
11 the divestment is required for the national defense and
12 that there exists sufficient resources at all times to meet
13 NATO and EUCOM air superiority requirements for the
14 European theater.

15 **SEC. 150. AIR BASE DEFENSE DEVELOPMENT AND ACQUISI-**
16 **TION STRATEGY.**

17 (a) STRATEGY REQUIRED.—Not later than March 1,
18 2021, the Chief of Staff of the Air Force (CSAF), in con-
19 sultation with the Chief of Staff of the Army (CSA), shall
20 submit to the congressional defense committees a develop-
21 ment and acquisition strategy to procure a capability to
22 protect air bases and prepositioned sites in contested envi-
23 ronments highlighted in the National Defense Strategy.
24 The strategy should ensure a solution that is effective
25 against current and emerging cruise missile and advanced
26 hypersonic missile threats.

1 (b) LIMITATION ON USE OF OPERATION AND MAIN-
2 TENANCE FUNDS.—Not more than 50 percent of the
3 funds authorized to be appropriated by this Act for fiscal
4 year 2021 for operation and maintenance for the Office
5 of the Secretary of the Air Force and the Office of the
6 Secretary of the Army may be obligated or expended until
7 15 days after submission of the strategy required under
8 subsection (a).

9 **SEC. 151. REQUIRED SOLUTION FOR KC-46 AIRCRAFT RE-**
10 **MOTE VISUAL SYSTEM LIMITATIONS.**

11 The Secretary of the Air Force shall develop and im-
12 plement a complete, one-time solution to the KC-46 air-
13 craft remote visual system (RVS) operational limitations.
14 Not later than October 1, 2020, the Secretary shall submit
15 to the congressional defense committees an implementa-
16 tion strategy for the solution.

17 **SEC. 152. ANALYSIS OF REQUIREMENTS AND ADVANCED**
18 **BATTLE MANAGEMENT SYSTEM CAPABILI-**
19 **TIES.**

20 (a) ANALYSIS.—Not later than April 1, 2021, the
21 Secretary of the Air Force, in consultation with the com-
22 manders of the combatant commands, shall develop an
23 analysis of current and future moving target indicator re-
24 quirements across the combatant commands and oper-
25 ational and tactical level command and control capabilities

1 the Advanced Battle Management System (ABMS) will re-
2 quire when fielded.

3 (b) JROC REQUIREMENTS.—

4 (1) IN GENERAL.—Not later than 60 days after
5 the Secretary of the Air Force develops the analysis
6 under subsection (a), the Joint Requirements Over-
7 sight Council (JROC) shall certify that requirements
8 for ABMS incorporate the findings of the analysis.

9 (2) CONGRESSIONAL NOTIFICATION.—The Joint
10 Requirements Oversight Council (JROC) shall notify
11 the congressional defense committees upon making
12 the certification required under paragraph (1) and
13 provide a briefing on the requirements and findings
14 described in such paragraph not later than 30 days
15 after such notification.

16 **SEC. 153. STUDIES ON MEASURES TO ASSESS COST-PER-EF-**
17 **FFECT FOR KEY MISSION AREAS.**

18 (a) IN GENERAL.—Not later than January 1, 2021,
19 the Secretary of the Air Force shall provide for the per-
20 formance of two independent studies to devise new meas-
21 ures to assess cost-per-effect for key mission areas. One
22 of the studies shall be conducted by an organization de-
23 scribed in section 501(c)(3) of the Internal Revenue Code
24 of 1986 and exempt from tax under section 501(a) of such

1 Code, and one of the studies shall be conducted by a feder-
2 ally funded research and development center.

3 (b) SCOPE.—Each study conducted pursuant to sub-
4 section (a) shall address the following matters:

5 (1) Number of weapon systems required to
6 meet a specified mission goal.

7 (2) Number of personnel required to meet a
8 specified mission goal.

9 (3) Associated operation and maintenance costs
10 necessary to facilitate respective operational con-
11 structs.

12 (4) Basing requirements for respective force
13 constructs.

14 (5) Mission support elements required to facili-
15 tate specified operations.

16 (6) Defensive measures required to facilitate
17 viable mission operations.

18 (7) Attrition due to enemy countermeasures
19 and other loss factors associated with respective
20 technologies.

21 (8) Associated weapon effects costs compared to
22 alternative forms of power projection.

23 (c) IMPLEMENTATION OF MEASURES.—The Sec-
24 retary of the Air Force shall, as appropriate, incorporate
25 the findings of the studies conducted pursuant to sub-

1 section (a) in the Air Force’s future force development
2 process. The measures—

3 (1) should be domain and platform agnostic;

4 (2) should focus on how best to achieve mission
5 goals in future operations; and

6 (3) shall consider including harnessing cost-per-
7 effect assessments as a key performance parameter
8 within the Department of Defense’s Joint Capabili-
9 ties Integration and Development System (JCIDS)
10 requirements process.

11 **SEC. 154. PLAN FOR OPERATIONAL TEST AND UTILITY**
12 **EVALUATION OF SYSTEMS FOR LOW-COST AT-**
13 **TRIBUTABLE AIRCRAFT TECHNOLOGY PRO-**
14 **GRAM.**

15 Not later than October 1, 2020, the Assistant Sec-
16 retary of the Air Force for Acquisition, Technology, and
17 Logistics shall—

18 (a) submit to the congressional defense committees
19 an executable plan for the operational test and utility eval-
20 uation of the systems of the Low-Cost Attributable Air-
21 craft Technology (LCAAT) program of the Air Force; and

22 (b) brief the congressional defense committees on
23 such plan.

1 **SEC. 155. PROHIBITION ON RETIREMENT OR DIVESTMENT**
 2 **OF A-10 AIRCRAFT.**

3 The Secretary of Defense may not during fiscal year
 4 2021 divest or retire any A-10 aircraft, in order to ensure
 5 ongoing capabilities to counter violent extremism and pro-
 6 vide close air support and combat search and rescue in
 7 accordance with the National Defense Strategy.

8 **Subtitle E—Defense-wide, Joint,**
 9 **and Multiservice Matters**

10 **SEC. 171. BUDGETING FOR LIFE-CYCLE COST OF AIRCRAFT**
 11 **FOR THE NAVY, ARMY, AND AIR FORCE: AN-**
 12 **NUAL PLAN AND CERTIFICATION.**

13 (a) IN GENERAL.—Chapter 9 of title 10, United
 14 States Code, is amended by inserting after section 231 the
 15 following new section:

16 **“§ 231a. Budgeting for life-cycle cost of aircraft for**
 17 **the Navy, Army, and Air Force: Annual**
 18 **plan and certification**

19 “(a) ANNUAL AIRCRAFT PROCUREMENT PLAN AND
 20 CERTIFICATION.—Not later than 45 days after the date
 21 on which the President submits to Congress the budget
 22 for a fiscal year, the Secretary of Defense shall submit
 23 to the congressional defense committees—

24 “(1) a plan for the procurement of the aircraft
 25 specified in subsection (b) for the Department of the
 26 Navy, the Department of the Army, and the Depart-

1 ment of the Air Force developed in accordance with
2 this section; and

3 “(2) a certification by the Secretary that both
4 the budget for such fiscal year and the future years
5 defense program submitted to Congress in relation
6 to such budget under section 221 of this title pro-
7 vide for funding of the procurement of aircraft at a
8 level that is sufficient for the procurement of the
9 aircraft provided for in the plan under paragraph
10 (1) on the schedule provided in the plan.

11 “(b) COVERED AIRCRAFT.—The aircraft specified in
12 this subsection are the aircraft as follows:

13 “(1) Fighter aircraft.

14 “(2) Attack aircraft.

15 “(3) Bomber aircraft.

16 “(4) Intertheater lift aircraft.

17 “(5) Intratheater lift aircraft.

18 “(6) Intelligence, surveillance, and reconnais-
19 sance aircraft.

20 “(7) Tanker aircraft.

21 “(8) Remotely piloted aircraft.

22 “(9) Rotary-wing aircraft.

23 “(10) Operational support and executive lift
24 aircraft.

1 “(11) Any other major support aircraft des-
2 ignated by the Secretary of Defense for purposes of
3 this section.

4 “(c) ANNUAL AIRCRAFT PROCUREMENT PLAN.—(1)
5 The annual aircraft procurement plan developed for a fis-
6 cal year for purposes of subsection (a)(1) should be de-
7 signed so that the aviation force provided for under the
8 plan is capable of supporting the national military strategy
9 of the United States as set forth in the most recent Na-
10 tional Defense Strategy submitted under section 113(g)
11 of title 10, United States Code, and National Military
12 Strategy submitted under section 153(b) of title 10,
13 United States Code.

14 “(2) Each annual aircraft procurement plan shall in-
15 clude the following:

16 “(A) A detailed program for the procurement of
17 the aircraft specified in subsection (b) for each of
18 the Department of the Navy, the Department of the
19 Army, and the Department of the Air Force over the
20 next 30 fiscal years.

21 “(B) A description of the necessary aviation
22 force structure to meet the requirements of the na-
23 tional military strategy of the United States or the
24 most recent Quadrennial Defense Review, whichever
25 is applicable under paragraph (1).

1 “(C) The estimated levels of annual investment
2 funding necessary to carry out each aircraft pro-
3 gram, together with a discussion of the procurement
4 strategies on which such estimated levels of annual
5 investment funding are based, set forth in aggregate
6 for the Department of Defense and in aggregate for
7 each military department.

8 “(D) The estimated level of annual funding
9 necessary to operate, maintain, sustain, and support
10 each aircraft program throughout the life-cycle of
11 the program, set forth in aggregate for the Depart-
12 ment of Defense and in aggregate for each military
13 department.

14 “(E) For each of the cost estimates required by
15 subparagraphs (C) and (D)—

16 “(i) a description of whether the cost esti-
17 mate is derived from the cost estimate position
18 of the military department or derived from the
19 cost estimate position of the Office of Cost
20 Analysis and Program Evaluation;

21 “(ii) if the cost estimate position of the
22 military department and the cost estimate posi-
23 tion of the Office of Cost Analysis and Program
24 Evaluation differ by more than 5 percent for
25 any aircraft program, an annotated cost esti-

1 mate difference and sufficient rationale to ex-
2 plain the difference;

3 “(iii) the confidence or certainty level asso-
4 ciated with the cost estimate for each aircraft
5 program; and

6 “(iv) a certification that cost between dif-
7 ferent services and aircraft are based on similar
8 components in the life-cycle cost of each pro-
9 gram.

10 “(F) An assessment by the Secretary of De-
11 fense of the extent to which the combined aircraft
12 forces of the Department of the Navy, the Depart-
13 ment of the Army, and the Department of the Air
14 Force meet the national security requirements of the
15 United States.

16 “(3) For any cost estimate required by paragraph
17 (2)(C) or (D), for any aircraft program for which the Sec-
18 retary is required to include in a report under section
19 2432 of this title, the source of the cost information used
20 to prepare the annual aircraft plan, shall be sourced from
21 the Selected Acquisition Report data that the Secretary
22 plans to submit to the congressional defense committees
23 in accordance with subsection (f) of that section for the
24 year for which the annual aircraft plan is prepared.

1 “(4) The annual aircraft procurement plan shall be
2 submitted in unclassified form and shall contain a classi-
3 fied annex. A summary version of the unclassified report
4 shall be made available to the public.

5 “(d) ASSESSMENT WHEN AIRCRAFT PROCUREMENT
6 BUDGET IS INSUFFICIENT TO MEET APPLICABLE RE-
7 QUIREMENTS.—If the budget for a fiscal year provides for
8 funding of the procurement of aircraft for the Department
9 of the Navy, the Department of the Army, or the Depart-
10 ment of the Air Force at a level that is not sufficient to
11 sustain the aviation force structure specified in the air-
12 craft procurement plan for such Department for that fis-
13 cal year under subsection (a), the Secretary shall include
14 with the defense budget materials for that fiscal year an
15 assessment that describes and discusses the risks associ-
16 ated with the reduced force structure of aircraft that will
17 result from funding aircraft procurement at such level.
18 The assessment shall be coordinated in advance with the
19 commanders of the combatant commands.

20 “(e) ANNUAL REPORT ON AIRCRAFT INVENTORY.—
21 (1) As part of the annual plan and certification required
22 to be submitted under this section, the Secretary shall in-
23 clude a report on the aircraft in the inventory of the De-
24 partment of Defense. Each such report shall include the
25 following, for the year covered by the report:

1 “(A) The total number of aircraft in the inven-
2 tory.

3 “(B) The total number of the aircraft in the in-
4 ventory that are active, stated in the following cat-
5 egories (with appropriate subcategories for mission
6 aircraft, training aircraft, dedicated test aircraft,
7 and other aircraft):

8 “(i) Primary aircraft.

9 “(ii) Backup aircraft.

10 “(iii) Attrition and reconstitution reserve
11 aircraft.

12 “(C) The total number of the aircraft in the in-
13 ventory that are inactive, stated in the following cat-
14 egories:

15 “(i) Bailment aircraft.

16 “(ii) Drone aircraft.

17 “(iii) Aircraft for sale or other transfer to
18 foreign governments.

19 “(iv) Leased or loaned aircraft.

20 “(v) Aircraft for maintenance training.

21 “(vi) Aircraft for reclamation.

22 “(vii) Aircraft in storage.

23 “(D) The aircraft inventory requirements ap-
24 proved by the Joint Chiefs of Staff.

1 “(2) Each report submitted under this subsection
 2 shall set forth each item described in paragraph (1) sepa-
 3 rately for the regular component of each armed force and
 4 for each reserve component of each armed force and, for
 5 each such component, shall set forth each type, model, and
 6 series of aircraft provided for in the future-years defense
 7 program that covers the fiscal year for which the budget
 8 accompanying the plan, certification and report is sub-
 9 mitted.

10 “(f) DEFINITION OF BUDGET.—In this section, the
 11 term ‘budget’, with respect to a fiscal year, means the
 12 budget for that fiscal year that is submitted to Congress
 13 by the President under section 1105(a) of title 31.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
 15 at the beginning of chapter 9 of such title is amended by
 16 inserting after the item relating to section 231 the fol-
 17 lowing new item:

“231a. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air
 Force: Annual plan and certification.”.

18 **SEC. 172. AUTHORITY TO USE F-35 AIRCRAFT WITHHELD**
 19 **FROM DELIVERY TO GOVERNMENT OF TUR-**
 20 **KEY.**

21 The Secretary of the Air Force is authorized to uti-
 22 lize, modify, and operate the 6 F-35 aircraft that were
 23 accepted by the Government of Turkey but never delivered
 24 because Turkey was suspended from the F-35 program.

1 **SEC. 173. TRANSFER FROM COMMANDER OF UNITED**
2 **STATES STRATEGIC COMMAND TO CHAIRMAN**
3 **OF THE JOINT CHIEFS OF STAFF OF RESPON-**
4 **SIBILITIES AND FUNCTIONS RELATING TO**
5 **ELECTROMAGNETIC SPECTRUM OPER-**
6 **ATIONS.**

7 (a) TRANSFER.—Not later than one year after the
8 date of the enactment of this Act and subject to subsection
9 (c), the Secretary of Defense shall transition to the Chair-
10 man of the Joint Chiefs of Staff as a Chairman’s Con-
11 trolled Activity all of the responsibilities and functions of
12 the Commander of United States Strategic Command that
13 are germane to electromagnetic spectrum operations, in-
14 cluding—

15 (1) advocacy for joint electronic warfare capa-
16 bilities,

17 (2) providing contingency electronic warfare
18 support to other combatant commands, and

19 (3) supporting combatant command joint train-
20 ing and planning related to electromagnetic spec-
21 trum operations.

22 (b) RESPONSIBILITY OF VICE CHAIRMAN OF THE
23 JOINT CHIEFS OF STAFF AS THE ELECTRONIC WARFARE
24 SENIOR DESIGNATED OFFICIAL.—The Vice Chairman of
25 the Joint Chiefs of Staff, as the Electronic Warfare Senior
26 Designated Official, shall be responsible for the following:

1 (1) Executing the functions transitioned to the
2 Chairman of the Joint Chiefs of Staff under sub-
3 section (a).

4 (2) Overseeing, with the Chief Information Offi-
5 cer of the Department of Defense, the development
6 and implementation of the Electromagnetic Spec-
7 trum Superiority Strategy of the Department of De-
8 fense and subsequent Department-wide electro-
9 magnetic spectrum and electronic warfare strategies.

10 (3) Managing the Joint Electronic Warfare
11 Center and the Joint Electromagnetic Preparedness
12 for Advanced Combat organizations.

13 (4) Overseeing, through the Joint Requirements
14 Oversight Council and the Electromagnetic Spec-
15 trum Operations cross-functional team, the acquisi-
16 tion activities of the military services as they relate
17 to electromagnetic spectrum operations.

18 (5) Overseeing and, as appropriate, setting
19 standards for the individual and unit training pro-
20 grams of the military services and the joint training
21 and mission rehearsal programs of the combatant
22 commands as they relate to electromagnetic spec-
23 trum operations.

1 (6) Overseeing the development of tactics, tech-
2 niques, and procedures germane to electromagnetic
3 spectrum operations.

4 (7) Overseeing the integration of electro-
5 magnetic spectrum operations into operation plans
6 and contingency plans.

7 (8) Developing and integrating into the joint
8 warfighting concept operational concepts for electro-
9 magnetic spectrum operations, including the fol-
10 lowing:

11 (A) The roles and responsibilities of each
12 of the military services and their primary con-
13 tributions to the joint force.

14 (B) The primary targets for offensive elec-
15 tromagnetic spectrum operations and their
16 alignment to the military services and relevant
17 capabilities.

18 (C) The armed forces' positioning, scheme
19 of maneuver, kill chains, and tactics, tech-
20 niques, and procedures, as appropriate, to con-
21 duct offensive electromagnetic spectrum oper-
22 ations.

23 (D) The armed forces' positioning, scheme
24 of maneuver, kill chains, and tactics, tech-
25 niques, and procedures, as appropriate, to de-

1 tect, disrupt, avoid, or render ineffective adver-
2 sary electromagnetic spectrum operations.

3 (c) PERIOD OF EFFECT OF TRANSFER.—

4 (1) IN GENERAL.—The transfer required by
5 subsection (a) and the responsibilities specified in
6 subsection (b) shall remain in effect until such date
7 as the Chairman of the Joint Chiefs of Staff con-
8 siders appropriate, except that such date shall not be
9 earlier than the date that is 180 days after the date
10 on which the Chairman submits to the congressional
11 defense committees notice that—

12 (A) the Chairman has made a determina-
13 tion that—

14 (i) the military services', geographic
15 combatant commands', and functional
16 combatant commands' electromagnetic
17 spectrum operations expertise, capabilities,
18 and execution are sufficiently robust; and

19 (ii) an alternative arrangement de-
20 scribed in paragraph (2) is justified; and

21 (B) the Chairman intends to transfer re-
22 sponsibilities and activities in order to carry out
23 such alternative arrangement.

24 (2) ALTERNATIVE ARRANGEMENT DE-
25 SCRIBED.—An alternative arrangement described in

1 this paragraph is an arrangement in which certain
2 oversight, advocacy, and coordination functions allotted
3 to the Chairman or Vice Chairman of the Joint
4 Chiefs of Staff by subsections (a) and (b) are performed
5 either by a single combatant command or by
6 the individual geographic and functional combatant
7 commands responsible for executing electromagnetic
8 spectrum operations with long-term supervision by
9 the Chairman or Vice Chairman of the Joint Chiefs
10 of Staff.

11 (d) EVALUATIONS OF ARMED FORCES.—

12 (1) IN GENERAL.—The Chief of Staff of the
13 Army, the Chief of Naval Operations, the Chief of
14 Staff of the Air Force, the Commandant of the Marine
15 Corps, and the Chief of Space Operations shall
16 each conduct and complete an evaluation of the
17 armed forces for their respective military services
18 and their ability to perform the electromagnetic
19 spectrum operations missions required of them in—

20 (A) the Electromagnetic Spectrum Superiority
21 Strategy;

22 (B) the Joint Staff-developed concept of
23 operations; and

24 (C) the operation and contingency plans of
25 the combatant commanders.

1 (2) ELEMENTS.—Each evaluation under para-
2 graph (1) shall include assessment of the following:

3 (A) Current programs of record, includ-
4 ing—

5 (i) the ability of weapon systems to
6 perform missions in contested electro-
7 magnetic spectrum environments; and

8 (ii) the ability of electronic warfare
9 capabilities to disrupt adversary oper-
10 ations.

11 (B) Future programs of record, includ-
12 ing—

13 (i) the need for distributed or net-
14 work-centric electronic warfare and signals
15 intelligence capabilities; and

16 (ii) the need for automated and ma-
17 chine learning- or artificial intelligence-as-
18 sisted electronic warfare capabilities.

19 (C) Order of battle.

20 (D) Individual and unit training.

21 (E) Tactics, techniques, and procedures,
22 including—

23 (i) maneuver, distribution of assets,
24 and the use of decoys; and

1 (ii) integration of nonkinetic and ki-
2 netic fires.

3 (e) EVALUATION OF COMBATANT COMMANDS.—

4 (1) IN GENERAL.—The Commander of the
5 United States European Command, the Commander
6 of the United States Pacific Command, and the
7 Commander of the United States Central Command
8 shall each conduct and complete an evaluation of the
9 plans and posture of their respective commands to
10 execute the electromagnetic spectrum operations en-
11 visioned in—

12 (A) the Electromagnetic Spectrum Superi-
13 ority Strategy; and

14 (B) the Joint Staff-developed concept of
15 operations.

16 (2) ELEMENTS.—Each evaluation under para-
17 graph (1) shall include assessment of the following:

18 (A) Operation and contingency plans.

19 (B) The manning, organizational align-
20 ment, and capability of joint electromagnetic
21 spectrum operations cells.

22 (C) Mission rehearsal and exercises.

23 (D) Force positioning, posture, and readi-
24 ness.

1 (f) SEMIANNUAL BRIEFING.—Not less frequently
2 than twice each year until January 1, 2026, the Vice
3 Chairman of the Joint Chiefs of Staff shall brief the Com-
4 mittee on Armed Services of the Senate and the Com-
5 mittee on Armed Services of the House of Representatives
6 on the implementation of this section by each of the Joint
7 Staff, the military services, and the combatant commands.

8 **SEC. 174. CRYPTOGRAPHIC MODERNIZATION SCHEDULES.**

9 (a) CRYPTOGRAPHIC MODERNIZATION SCHEDULES
10 REQUIRED.—Each of the Secretaries of the military de-
11 partments and the heads of relevant defense agencies and
12 field activities shall establish and maintain a cryp-
13 tographic modernization schedule that specifies, for each
14 pertinent weapon system, command and control system,
15 or data link, including those that use commercial
16 encryption technologies, as relevant, the following:

17 (1) The expiration date or cease key date for
18 applicable cryptographic algorithms.

19 (2) Anticipated key extension requests for sys-
20 tems where cryptographic modernization is assessed
21 to be overly burdensome and expensive or to provide
22 limited operational utility.

23 (3) The funding and deployment schedule for
24 modernized cryptographic algorithms, keys, and
25 equipment over the Future Years Defense Program.

1 (b) REQUIREMENTS FOR CHIEF INFORMATION OFFI-
2 CER.—The Chief Information Officer of the Department
3 of Defense shall—

4 (1) oversee the construction and implementa-
5 tion of the cryptographic modernization schedules
6 required by subsection (a);

7 (2) establish and maintain an integrated cryp-
8 tographic modernization schedule for the entire De-
9 partment, collating the cryptographic modernization
10 schedules required under subsection (a); and

11 (3) in coordination with the Director of the Na-
12 tional Security Agency and the Joint Staff Director
13 for Command, Control, Communications, and Com-
14 puters/Cyber, use the budget certification, standard-
15 setting, and policy-making authorities provided in
16 section 142 of title 10, United States Code, to
17 amend military service and defense agency and field
18 activity plans for key extension requests and cryp-
19 tographic modernization funding and deployment
20 that pose unacceptable risk to military operations.

21 (c) ANNUAL NOTICES.—Not later than January 1,
22 2022, and not less frequently than once each year there-
23 after until January 1, 2026, the Chief Information Officer
24 of the Department and the Joint Staff Director for Com-
25 mand, Control, Communications, and Computers/Cyber

1 shall jointly submit to the congressional defense commit-
2 tees notification of all—

3 (1) delays to or planned delays of military serv-
4 ice and defense agency and field activity funding and
5 deployment of modernized cryptographic algorithms,
6 keys, and equipment over the previous year; and

7 (2) changes in plans or schedules surrounding
8 key extension requests and waivers, including—

9 (A) unscheduled or unanticipated key ex-
10 tension requests; and

11 (B) unscheduled or unanticipated waivers
12 and nonwaivers of scheduled or anticipated key
13 extension requests.

14 **SEC. 175. PROHIBITION ON PURCHASE OF ARMED**
15 **OVERWATCH AIRCRAFT.**

16 The Secretary of the Air Force may not purchase any
17 aircraft for the Air Force Special Operations Command
18 for the purpose of “armed overwatch” until such time as
19 the Chief of Staff of the Air Force certifies to the congres-
20 sional defense committees that general purpose forces of
21 the Air Force do not have the skill or capacity to provide
22 close air support and armed overwatch to United States
23 forces deployed operationally.

1 **SEC. 176. SPECIAL OPERATIONS ARMED OVERWATCH.**

2 (a) PROHIBITION.—None of the funds authorized to
3 be appropriated by this Act for the Department of Defense
4 may be used to acquire armed overwatch aircraft for the
5 United States Special Operations Command, and the De-
6 partment of Defense may not acquire armed overwatch
7 aircraft for the United States Special Operations Com-
8 mand in fiscal year 2021.

9 (b) ANALYSIS REQUIRED.—

10 (1) IN GENERAL.—Not later than July 1, 2021,
11 the Secretary of Defense, in coordination with the
12 Assistant Secretary of Defense for Special Oper-
13 ations and Low Intensity Conflict and the Com-
14 mander of the United States Special Operations
15 Command, shall conduct an analysis to define the
16 special operations-peculiar requirements for armed
17 overwatch aircraft and to determine whether acquisi-
18 tion of a new special operations-peculiar platform is
19 the most cost effective means of fulfilling such re-
20 quirements.

21 (2) ELEMENTS.—At a minimum, the analysis
22 of alternatives required under paragraph (1) shall
23 include—

24 (A) a description of the concept of oper-
25 ations for employing armed overwatch aircraft
26 in support of ground forces;

1 (B) an identification of geographic regions
2 in which armed overwatch aircraft could be de-
3 ployed;

4 (C) an identification of the most likely
5 antiaircraft threats in geographic areas where
6 armed overwatch aircraft will be deployed and
7 possible countermeasures to defeat such
8 threats;

9 (D) a defined requirement for special oper-
10 ations-peculiar armed overwatch aircraft, in-
11 cluding an identification of threshold and objec-
12 tive performance parameters for armed
13 overwatch aircraft;

14 (E) an analysis of alternatives comparing
15 various manned and unmanned aircraft in the
16 current aircraft inventory of the United States
17 Special Operations Command and a new plat-
18 form for meeting requirements for the armed
19 overwatch mission, including for each alter-
20 native considered;

21 (F) an identification of any necessary air-
22 craft modifications and the associated cost;

23 (G) the annual cost of operating and sus-
24 taining such aircraft;

1 (H) an identification of any required mili-
2 tary construction costs;

3 (I) an explanation of how the acquisition of
4 a new armed overwatch aircraft would impact
5 the overall fleet of special operations-peculiar
6 aircraft and the availability of aircrews and
7 maintainers;

8 (J) an explanation of why existing Air
9 Force and United States Special Operations
10 Command close air support and airborne intel-
11 ligence capabilities are insufficient for the
12 armed overwatch mission; and

13 (K) any other matters determined relevant
14 by the Secretary of Defense.

15 **SEC. 177. AUTONOMIC LOGISTICS INFORMATION SYSTEM**
16 **REDESIGN STRATEGY.**

17 Not later than October 1, 2020, the Under Secretary
18 of Defense for Acquisition and Sustainment, in consulta-
19 tion with the F-35 Program Executive Officer, shall—

20 (1) submit to the congressional defense commit-
21 tees a report describing a program-wide process for
22 measuring, collecting, and tracking information on
23 how the Autonomic Logistics Information System
24 (ALIS) is affecting the performance of the F-35

1 fleet, including its effects on mission capability
2 rates; and

3 (2) implement a strategy for the redesign of
4 ALIS, including the identification and assessment of
5 goals, key risks or uncertainties, and costs of rede-
6 signing the system.

7 **SEC. 178. CONTRACT AVIATION SERVICES IN A COUNTRY**
8 **OR IN AIRSPACE IN WHICH A SPECIAL FED-**
9 **ERAL AVIATION REGULATION APPLIES.**

10 (a) IN GENERAL.—When the Department of Defense
11 contracts for aviation services to be performed in a foreign
12 country, or in airspace, in which a Special Federal Avia-
13 tion Regulation issued by the Federal Aviation Adminis-
14 tration would preclude operation of such aviation services
15 by an air carrier or commercial operator of the United
16 States, the Secretary of Defense (or a designee of the Sec-
17 retary) shall—

18 (1) obtain approval from the Administrator of
19 the Federal Aviation Administration (or a designee
20 of the Administrator) for the air carrier or commer-
21 cial operator of the United States to deviate from
22 the Special Federal Aviation Regulation to the ex-
23 tent necessary to perform such aviation services;

24 (2) designate the aircraft of the air carrier or
25 commercial operator of the United States to be

1 State Aircraft of the United States when performing
2 such aviation services; or

3 (3) use organic aircraft to perform such avia-
4 tion services in lieu of aircraft of an air carrier or
5 commercial operator of the United States.

6 (b) CONSTRUCTION OF DESIGNATION.—The designa-
7 tion of aircraft of an air carrier or commercial operator
8 of the United States as State Aircraft of the United States
9 under subsection (a)(2) shall have no effect on Federal
10 Aviation Administration requirements for—

11 (1) safety oversight responsibility for the oper-
12 ation of aircraft so designated, except for those ac-
13 tivities prohibited or restricted by an applicable Spe-
14 cial Federal Aviation Regulation; and

15 (2) any previously issued nonpremium aviation
16 insurance or reinsurance policy issued to the air car-
17 rier or commercial operator of the United States for
18 the duration of aviation services performed as a
19 State Aircraft of the United States under that sub-
20 section.

21 **SEC. 179. F-35 AIRCRAFT MUNITIONS.**

22 The Secretary of the Air Force and the Secretary of
23 the Navy shall qualify and certify, for the use of United
24 States forces, additional munitions on the F-35 aircraft

1 that are already qualified on NATO member F-35 partner
2 aircraft.

3 **SEC. 180. AIRBORNE INTELLIGENCE, SURVEILLANCE, AND**
4 **RECONNAISSANCE ACQUISITION ROADMAP**
5 **FOR UNITED STATES SPECIAL OPERATIONS**
6 **COMMAND.**

7 (a) IN GENERAL.—Not later than December 1, 2021,
8 the Assistant Secretary of Defense for Special Operations
9 and Low-Intensity Conflict and the Commander of the
10 United States Special Operations Command shall jointly
11 submit to the congressional defense committees an acqui-
12 sition roadmap to meet the manned and unmanned air-
13 borne intelligence, surveillance, and reconnaissance re-
14 quirements of United States Special Operations Forces.

15 (b) ELEMENTS.—The roadmap required under sub-
16 section (a) shall include, at a minimum, the following:

17 (1) A description of the current platform re-
18 quirements for manned and unmanned airborne in-
19 telligence, surveillance, and reconnaissance capabili-
20 ties to support United States Special Operations
21 Forces.

22 (2) An analysis of the remaining service life of
23 existing manned and unmanned airborne intel-
24 ligence, surveillance, and reconnaissance capabilities

1 currently operated by United States Special Oper-
2 ations Forces.

3 (3) An identification of any current or antici-
4 pated special operations-peculiar capability gaps.

5 (4) A description of the future manned and un-
6 manned intelligence, surveillance, and reconnais-
7 sance platform requirements of the United States
8 Special Operations Forces, including range, payload,
9 endurance, ability to operate in contested environ-
10 ments, and other requirements as appropriate.

11 (5) An explanation of the anticipated mix of
12 manned and unmanned aircraft, number of plat-
13 forms, and associated aircrew and maintainers.

14 (6) An explanation of the extent to which serv-
15 ice-provided manned and unmanned airborne intel-
16 ligence, surveillance, and reconnaissance capabilities
17 will be required in support of United States Special
18 Operations Forces and how such capabilities will
19 supplement and integrate with the organic capabili-
20 ties possessed by United States Special Operations
21 Forces.

22 (7) Any other matters deemed relevant by the
23 Assistant Secretary and Commander.

1 **SEC. 181. REQUIREMENT TO ACCELERATE THE FIELDING**
2 **AND DEVELOPMENT OF COUNTER UN-**
3 **MANNED AERIAL SYSTEMS ACROSS THE**
4 **JOINT FORCE.**

5 (a) **PRIORITY OBJECTIVES FOR EXECUTIVE AGENT**
6 **FOR C-UAS.**—The Executive Agent of the Joint Counter
7 Small Unmanned Aerial Systems (C-sUAS) Office, as des-
8 ignated by the Under Secretary of Defense, Acquisition
9 and Sustainment, shall prioritize the following objectives:

10 (1) Select counter unmanned aerial systems
11 that can be fielded as early as fiscal year 2021 to
12 meet immediate operational needs in countering
13 Group 1, 2, and 3 unmanned aerial systems with the
14 potential to expand to other larger systems.

15 (2) Devise and execute a near-term plan to de-
16 velop and field a select set of counter unmanned aer-
17 ial systems to meet joint force requirements, begin-
18 ning in fiscal year 2021.

19 (b) **FIELDING C-UAS SYSTEMS IN FISCAL YEAR**
20 **2021.**—Pursuant to subsection (a)(1), the Executive
21 Agent shall prioritize the selection of counter unmanned
22 aerial systems that can be fielded in fiscal year 2021 with
23 specific emphasis on systems that—

24 (1) have undergone effective combat validations;

25 (2) meet the operational demands of deployed

26 forces facing the most significant threats, especially

1 unmanned aerial systems that are not remotely pi-
2 loted or are not reliant on a command link; and

3 (3) utilize autonomous systems and processes
4 that increase operational effectiveness, reduce the
5 manning demands on operational forces, and limit
6 the need for government-funded contractor logistics
7 support.

8 (c) NEAR-TERM DEVELOPMENT PLAN.—The plan for
9 the near-term development of counter unmanned aerial
10 systems prioritized under subsection (a)(2) shall ensure,
11 at a minimum, that the development of such systems—

12 (1) builds, as much as practicable, upon sys-
13 tems that were selected for fielding in fiscal year
14 2021 and the criteria prioritized for their selection,
15 as specified in subsection (b);

16 (2) reduces or accelerates the timeline for initial
17 operational capability and full operational capability;

18 (3) utilizes a software-defined, family-of-sys-
19 tems approach that enables the flexible and contin-
20 uous integration of different types of sensors and
21 mitigation solutions based on the different demands
22 of particular military installations and deployed
23 forces, physical geographies, and threat profiles; and

24 (4) gives preference to commercial items, as re-
25 quired in section 3307 of title 41, United States

1 Code, when making selections of counter unmanned
2 aerial systems or component parts, including a com-
3 mon command and control system.

4 (d) BRIEFING.—Not later than 60 days after the date
5 of the enactment of this Act, the Executive Agent shall
6 brief the congressional defense committees on the selection
7 process for counter unmanned aerial systems capabilities
8 prioritized under paragraph (1) of subsection (a) and the
9 plan prioritized under paragraph (2) of such subsection.

10 (e) OVERSIGHT.—The Executive Agent shall—

11 (1) oversee the program management and exe-
12 cution of all counter unmanned aerial systems being
13 developed within the military departments on the
14 day before the date of the enactment of this Act;
15 and

16 (2) ensure that the plan prioritized under sub-
17 section (a)(2) guides future programmatic and fund-
18 ing decisions for activities relating to counter un-
19 manned aerial systems, including cancellation of
20 such activities.

21 **SEC. 182. JOINT ALL DOMAIN COMMAND AND CONTROL RE-**
22 **QUIREMENTS.**

23 (a) PRODUCTION OF REQUIREMENTS BY JOINT RE-
24 QUIREMENTS OVERSIGHT COUNCIL.—Not later than Oc-
25 tober 1, 2020, the Joint Requirements and Oversight

1 Council (JROC) shall produce requirements for the Joint
2 All Domain Command and Control (JADC2) program.

3 (b) AIR FORCE CERTIFICATION.—Immediately after
4 the certification of requirements produced under sub-
5 section (a), the Chief of Staff of the Air Force shall submit
6 to the congressional defense committees a certification
7 that the current JADC2 effort, including programmatic
8 and architecture efforts, being led by the Air Force will
9 meet the requirements laid out by the JROC.

10 (c) CERTIFICATION BY OTHER SERVICES.— Not
11 later than January 1, 2021, the chief of each other mili-
12 tary service shall submit to the congressional defense com-
13 mittees a certification whether that service’s efforts on
14 multi-domain command and control are compatible with
15 the Air Force-led JADC2 architecture.

16 (d) BUDGETING.—The Secretary of Defense shall in-
17 corporate the expected costs for full development and im-
18 plementation of the JADC2 program across the Depart-
19 ment in the President’s budget submission to Congress for
20 fiscal year 2022 under section 1105 of title 31, United
21 States Code.

1 **TITLE II—RESEARCH, DEVELOP-**
2 **MENT, TEST, AND EVALUA-**
3 **TION**

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

6 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

7 Funds are hereby authorized to be appropriated for
8 fiscal year 2021 for the use of the Department of Defense
9 for research, development, test, and evaluation, as speci-
10 fied in the funding table in section 4201.

11 **Subtitle B—Program Require-**
12 **ments, Restrictions, and Limita-**
13 **tions**

14 **SEC. 211. DESIGNATION AND ACTIVITIES OF SENIOR OFFI-**
15 **CIALS FOR CRITICAL TECHNOLOGY AREAS**
16 **SUPPORTIVE OF THE NATIONAL DEFENSE**
17 **STRATEGY.**

18 (a) DESIGNATION OF SENIOR OFFICIALS.—The
19 Under Secretary for Research and Engineering shall des-
20 ignate a set of senior officials to coordinate research and
21 engineering in such technology areas as the Under Sec-
22 retary considers critical for the support of the National
23 Defense Strategy.

1 (b) DUTIES.—The duties of the senior officials des-
2 ignated under subsection (a) shall include, within their re-
3 spective technology areas—

4 (1) developing and continuously updating re-
5 search and technology development roadmaps, asso-
6 ciated funding strategies, and associated technology
7 transition strategies to ensure effective and efficient
8 development of new capabilities and operational use
9 of appropriate technologies;

10 (2) annual assessments of workforce, infra-
11 structure, and industrial base capabilities and capac-
12 ity to support the roadmaps developed under para-
13 graph (1) and the goals of the National Defense
14 Strategy;

15 (3) reviewing the relevant research and engi-
16 neering budgets of appropriate organizations within
17 the Department of Defense, including the military
18 services, and advising the Under Secretary on—

19 (A) the consistency of the budgets with the
20 roadmaps developed under paragraph (1);

21 (B) any technical and programmatic risks
22 to achieving the research and technology devel-
23 opment goals of the National Defense Strategy;
24 and

1 (C) projects and activities with unwanted
2 or inefficient duplication, including with other
3 government agencies and the commercial sector,
4 lack of appropriate coordination with relevant
5 organizations, or inappropriate alignment with
6 organizational missions and capabilities;

7 (4) coordinating research and engineering ac-
8 tivities of the Department with appropriate inter-
9 national, interagency, and private sector organiza-
10 tions; and

11 (5) tasking the appropriate intelligence agencies
12 to develop a direct comparison between the capabili-
13 ties of the United States and the capabilities of ad-
14 versaries of the United States.

15 (c) ANNUAL REPORTS.—

16 (1) IN GENERAL.—Not later than December 1,
17 2021, and not later than December 1 of each year
18 thereafter until December 1, 2025, the Under Sec-
19 retary shall submit to the congressional defense com-
20 mittees a report of successful examples of research
21 and engineering activities that have—

22 (A) achieved significant technical progress;

23 (B) transitioned to formal acquisition pro-
24 grams;

25 (C) transitioned into operational use; or

1 (D) transferred for further commercial de-
2 velopment or commercial sales.

3 (2) FORM.—Each report submitted under para-
4 graph (1) shall be submitted in a publicly releasable
5 format, but may include a classified annex.

6 (d) COORDINATION OF RESEARCH AND ENGINEER-
7 ING ACTIVITIES.—The Service Acquisition Executive for
8 each military services and the Director of the Defense Ad-
9 vanced Research Projects Agency shall each identify sen-
10 ior officials to ensure coordination of appropriate research
11 and engineering activities with each of the senior officials
12 designated under subsection (a).

13 **SEC. 212. GOVERNANCE OF FIFTH-GENERATION WIRELESS**
14 **NETWORKING IN THE DEPARTMENT OF DE-**
15 **FENSE.**

16 (a) IN GENERAL.—In carrying out the responsibil-
17 ities established in section 142 of title 10, United States
18 Code, the Chief Information Officer (CIO) of the Depart-
19 ment of Defense shall—

20 (1) lead the cross-functional team established
21 pursuant to subsection (c); and

22 (2) serve as the senior designated official for
23 fifth-generation wireless networking (commonly
24 known as “5G”) policy, oversight, guidance, re-
25 search, and coordination in the Department.

1 (b) RESPONSIBILITIES.—The Chief Information Offi-
2 cer shall have, with respect to authorities referenced in
3 subsection (a), the following responsibilities:

4 (1) Proposing governance, management, and or-
5 ganizational policy for fifth-generation wireless net-
6 working to the Secretary of Defense, in consultation
7 with the heads of the constituent organizations of
8 the cross-functional team established pursuant to
9 subsection (c).

10 (2) Leading the cross-functional team estab-
11 lished pursuant to subsection (c).

12 (c) CROSS-FUNCTIONAL TEAM FOR FIFTH-GENERA-
13 TION WIRELESS NETWORKING.—

14 (1) ESTABLISHMENT REQUIRED.—The Sec-
15 retary of Defense shall, in accordance with section
16 911(c) of the National Defense Authorization Act
17 for Fiscal Year 2017 (Public Law 114–328; 10
18 U.S.C. 111 note), establish a cross-functional team
19 for fifth-generation wireless networking in order—

20 (A) to advance the adoption of commer-
21 cially available next generation wireless commu-
22 nication technologies, capabilities, security, and
23 applications by the Department of Defense and
24 the defense industrial base; and

1 (B) to support public-private partnership
2 between the Department and industry regard-
3 ing fifth-generation wireless networking.

4 (2) PURPOSE.—The purpose of the cross-func-
5 tional team established pursuant to paragraph (1)
6 shall be the—

7 (A) oversight of the implementation of the
8 strategy developed as required by section 254 of
9 the National Defense Authorization Act for Fis-
10 cal Year 2020 (Public Law 116–92) for har-
11 nassing fifth-generation wireless networking
12 technologies, coordinated across all relevant ele-
13 ments of the Department;

14 (B) coordination of research and develop-
15 ment, implementation and acquisition activities,
16 warfighting concept development, spectrum pol-
17 icy, industrial policy and commercial outreach
18 and partnership relating to fifth-generation
19 wireless networking in the Department, and
20 interagency and international engagement;

21 (C) integration of the Department’s fifth-
22 generation wireless networking programs and
23 policies with major Department initiatives, pro-
24 grams, and policies surrounding secure micro-
25 electronics and command and control; and

1 (D) oversight, coordination, execution, and
2 leadership of initiatives to advance fifth-genera-
3 tion wireless network technologies and associ-
4 ated applications developed for the Department.

5 (d) ROLES AND RESPONSIBILITIES.—The Secretary
6 of Defense, through the cross-functional team established
7 under subsection (c), shall define the roles of the organiza-
8 tions within the Office of the Secretary of Defense, De-
9 partment of Defense intelligence components, military
10 services, defense agencies and field activities, combatant
11 commands, and the Joint Staff, for fifth-generation wire-
12 less networking policy and programs within the Depart-
13 ment.

14 (e) BRIEFING.—Not later than March 15, 2021, the
15 Secretary shall submit to the congressional defense com-
16 mittees a briefing on the establishment of the cross-func-
17 tional team pursuant to subsection (c) and the roles and
18 responsibilities defined pursuant to subsection (d).

19 (f) RULE OF CONSTRUCTION.—

20 (1) IN GENERAL.—Nothing in this section shall
21 be construed as providing the Chief Information Of-
22 ficer immediate responsibility for the Department’s
23 activities in fifth-generation wireless networking ex-
24 perimentation and science and technology develop-
25 ment.

1 (2) PURVIEW OF EXPERIMENTATION AND
2 SCIENCE AND TECHNOLOGY DEVELOPMENT.—The
3 activities described in paragraph (1) shall remain
4 within the purview of the Under Secretary of De-
5 fense for Research and Engineering, but shall in-
6 form and be informed by the activities of the cross-
7 functional team established pursuant to subsection
8 (c).

9 **SEC. 213. APPLICATION OF ARTIFICIAL INTELLIGENCE TO**
10 **THE DEFENSE REFORM PILLAR OF THE NA-**
11 **TIONAL DEFENSE STRATEGY.**

12 (a) IDENTIFICATION OF USE CASES.—The Secretary
13 of Defense, acting through such officers and employees of
14 the Department of Defense as the Secretary considers ap-
15 propriate, including the chief data officers and chief man-
16 agement officers of the military departments, shall iden-
17 tify a set of no fewer than five use cases of the application
18 of existing artificial intelligence enabled systems to sup-
19 port improved management of enterprise acquisition, per-
20 sonnel, audit, or financial management functions, or other
21 appropriate management functions, that are consistent
22 with reform efforts that support the National Defense
23 Strategy.

24 (b) PROTOTYPING ACTIVITIES ALIGNED TO USE
25 CASES.—The Secretary, acting through the Under Sec-

1 retary of Defense for Research and Engineering and in
 2 coordination with the Director of the Joint Artificial Intel-
 3 ligence Center and such other officers and employees as
 4 the Secretary considers appropriate, shall pilot technology
 5 development and prototyping activities that leverage com-
 6 mercially available technologies and systems to dem-
 7 onstrate new artificial intelligence enabled capabilities to
 8 support the use cases identified under subsection (a).

9 (c) BRIEFING.—Not later than October 1, 2021, the
 10 Secretary shall provide to the congressional defense com-
 11 mittees a briefing summarizing the activities carried out
 12 under this section.

13 **SEC. 214. EXTENSION OF AUTHORITIES TO ENHANCE INNO-**
 14 **VATION AT DEPARTMENT OF DEFENSE LAB-**
 15 **ORATORIES.**

16 (a) EXTENSION OF PILOT PROGRAM FOR THE EN-
 17 HANCEMENT OF THE RESEARCH, DEVELOPMENT, TEST,
 18 AND EVALUATION CENTERS OF THE DEPARTMENT OF
 19 DEFENSE.—Section 233(e) of the National Defense Au-
 20 thorization Act for Fiscal Year 2017 (Public Law 114–
 21 328; 10 U.S.C. 2358 note) is amended by striking “Sep-
 22 tember 30, 2022” and inserting “September 30, 2025”.

23 (b) EXTENSION OF PILOT PROGRAM TO IMPROVE IN-
 24 CENTIVES FOR TECHNOLOGY TRANSFER FROM DEPART-
 25 MENT OF DEFENSE LABORATORIES.—Subsection (e) of

1 section 233 of the National Defense Authorization Act for
 2 Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2514
 3 note) is amended to read as follows:

4 “(e) SUNSET.—The pilot program under this section
 5 shall terminate on September 30, 2025.”.

6 **SEC. 215. UPDATES TO DEFENSE QUANTUM INFORMATION**
 7 **SCIENCE AND TECHNOLOGY RESEARCH AND**
 8 **DEVELOPMENT PROGRAM.**

9 Section 234 of the John S. McCain National Defense
 10 Authorization Act for Fiscal year 2019 (Public Law 115–
 11 232; 10 U.S.C. 2358 note), as amended by section 220
 12 of the National Defense Authorization Act for Fiscal Year
 13 2020 (Public Law 116–92), is further amended—

14 (1) by redesignating subsection (e) as sub-
 15 section (f); and

16 (2) by inserting after subsection (d) the fol-
 17 lowing new subsection (e):

18 “(e) USE OF QUANTUM COMPUTING CAPABILI-
 19 TIES.—The Secretary of each military department shall—

20 “(1) develop and annually update a list of tech-
 21 nical problems and research challenges which are
 22 likely to be addressable by quantum computers avail-
 23 able for use within in the next one to three years,
 24 with a priority for technical problems and challenges
 25 where quantum computing systems have perform-

1 ance advantages over traditional computing systems,
 2 in order to enhance the capabilities of such quantum
 3 computers and support the addressing of relevant
 4 technical problems and research challenges; and

5 “(2) establish programs and enter into agree-
 6 ments with appropriate medium and small busi-
 7 nesses with functional quantum computing capabili-
 8 ties to provide such private sector capabilities to gov-
 9 ernment, industry, and academic researchers work-
 10 ing on relevant technical problems and research ac-
 11 tivities.”.

12 **SEC. 216. PROGRAM OF PART-TIME AND TERM EMPLOY-**
 13 **MENT AT DEPARTMENT OF DEFENSE**
 14 **SCIENCE AND TECHNOLOGY REINVENTION**
 15 **LABORATORIES OF FACULTY AND STUDENTS**
 16 **FROM INSTITUTIONS OF HIGHER EDU-**
 17 **CATION.**

18 (a) PROGRAM REQUIRED.—Not later than 180 days
 19 after the date of the enactment of this Act, the Secretary
 20 of Defense shall establish a program to provide part-time
 21 or term employment in Department of Defense science
 22 and technology reinvention laboratories for—

23 (1) faculty of institutions of higher education
 24 who have expertise in science, technology, engineer-

1 ing, or mathematics to conduct research projects in
2 such laboratories; and

3 (2) students at such institutions to assist such
4 faculty in conducting such research projects.

5 (b) NUMBER OF POSITIONS.—

6 (1) IN GENERAL.—Not later than one year
7 after the date of the commencement of the program
8 established under subsection (a), the Secretary shall,
9 under such program, establish at least 10 positions
10 of employment described in such subsection for fac-
11 ulty described in paragraph (1) of such subsection.

12 (2) ARTIFICIAL INTELLIGENCE AND MACHINE
13 LEARNING.—Of the positions established under
14 paragraph (1), at least five of such positions shall be
15 for faculty conducting research in the area of artifi-
16 cial intelligence and machine learning.

17 (c) SELECTION.—The Secretary, acting through the
18 directors of the laboratories described in subsection (a),
19 shall select faculty described in paragraph (1) of such sub-
20 section for participation in the program established under
21 such subsection on the basis of—

22 (1) the academic credentials and research expe-
23 rience of the faculty;

1 (2) the potential contribution to Department
2 objectives by the research that will be conducted by
3 the faculty under the program; and

4 (3) the qualifications of any students who will
5 be assisting the faculty in such research and the role
6 and credentials of such students.

7 (d) AUTHORITIES.—In carrying out the program es-
8 tablished under subsection (a), the Secretary and the di-
9 rectors of the laboratories described in such subsection
10 may—

11 (1) use any hiring authority available to the
12 Secretary or the directors, including any authority
13 available under a laboratory demonstration program,
14 direct hiring authority under section 1599h of title
15 10, United States Code, and expert hiring authority
16 under section 3109 of title 5, United States Code;

17 (2) utilize cooperative research and development
18 agreements under section 12 of the Stevenson-
19 Wydler Technology Innovation Act of 1980 (15
20 U.S.C. 3710a) to enable sharing of research and ex-
21 pertise with institutions of higher education and the
22 private sector; and

23 (3) provide referral bonuses to program partici-
24 pants who identify students to assist in a research
25 project under the program or to participate in lab-

1 oratory internship programs and the Pathways In-
2 ternship Program.

3 (e) ANNUAL REPORTS.—

4 (1) IN GENERAL.—Not later than one year
5 after the date of the enactment of this Act and not
6 less frequently than once each year thereafter until
7 the date that is three years after the date of the en-
8 actment of this Act, the Secretary shall submit to
9 Congress a report on the program established under
10 subsection (a).

11 (2) CONTENTS OF FIRST REPORT.—The first
12 report submitted under paragraph (1) shall address,
13 at a minimum, the following:

14 (A) The number of faculty and students
15 employed under the program.

16 (B) The laboratories employing such fac-
17 ulty and students.

18 (C) The types of research conducted or to
19 be conducted by such faculty or students.

20 (3) CONTENTS OF SUBSEQUENT REPORTS.—
21 Each report submitted under paragraph (1) after
22 the first report shall address, at a minimum, the fol-
23 lowing:

24 (A) The matters set forth in subpara-
25 graphs (A) through (C) of paragraph (2).

1 (B) The number of interns and recent col-
2 lege graduates hired pursuant to referrals
3 under subsection (d)(3).

4 (C) The results of research conducted
5 under the program.

6 (f) DEPARTMENT OF DEFENSE SCIENCE AND TECH-
7 NOLOGY REINVENTION LABORATORY DEFINED.—In this
8 section, the term “Department of Defense science and
9 technology reinvention laboratory” means the entities des-
10 ignated by section 1105(a) of the National Defense Au-
11 thorization Act for Fiscal Year 2010 (Public Law 111–
12 84; 10 U.S.C. 2358 note).

13 **SEC. 217. IMPROVEMENTS TO TECHNOLOGY AND NATIONAL**
14 **SECURITY FELLOWSHIP OF DEPARTMENT OF**
15 **DEFENSE.**

16 (a) MODIFICATION REGARDING BASIC PAY.—Sub-
17 section (a)(4)(A) of section 235 of the National Defense
18 Authorization Act for Fiscal Year 2020 (Public Law 116–
19 92) is amended—

20 (1) by striking “equivalent to” and inserting
21 “not less than”; and

22 (2) by inserting “and not more than the rate of
23 basic pay payable for a position at level 15 of such
24 schedule” before the semicolon.

1 (b) BACKGROUND CHECKS.—Subsection (b) of such
2 section is amended by adding at the end the following new
3 paragraph:

4 “(3) BACKGROUND CHECK REQUIREMENT.—No
5 individual may participate in the fellows program
6 without first undergoing a background check that
7 the Secretary considers appropriate for participation
8 in the fellows program.”.

9 **SEC. 218. DEPARTMENT OF DEFENSE RESEARCH, DEVELOP-**
10 **MENT, AND DEPLOYMENT OF TECHNOLOGY**
11 **TO SUPPORT WATER SUSTAINMENT.**

12 (a) IN GENERAL.—The Secretary of Defense shall re-
13 search, develop, and deploy advanced technologies that
14 support water sustainment with technologies that capture
15 ambient humidity and harvest, recycle, and reuse water.

16 (b) GOAL.—Under subsection (a), the Secretary shall
17 seek to develop water systems that reduce weight and lo-
18 gistics support and transition such advanced technologies
19 for use by expeditionary forces by January 1, 2025.

20 (c) MODULAR PLATFORMS.—In carrying out sub-
21 section (a), the Secretary shall develop the following:

22 (1) Modular platforms that are easily transport-
23 able.

24 (2) Trailer mounted systems that will reduce
25 resupply.

1 (3) Storage requirements at forward operating
2 bases.

3 (d) PARTNERSHIPS AND EXISTING TECHNIQUES AND
4 TECHNOLOGIES.—In carrying out subsection (a), the Sec-
5 retary shall seek—

6 (1) to enter into partnerships with foreign mili-
7 taries and organizations that have proven they have
8 the ability to operate in water constrained areas;

9 (2) to leverage existing techniques and tech-
10 nologies; and

11 (3) to apply such techniques and technologies to
12 military operations carried out by the United States.

13 (e) COMMERCIAL OFF-THE-SHELF TECH-
14 NOLOGIES.—In carrying out subsection (a), in addition to
15 technology described in such subsection, the Secretary
16 shall consider using commercial off-the-shelf technologies
17 for cost savings and near ready deployment technologies
18 to enable warfighters to be more self-sufficient.

19 (f) CROSS FUNCTIONAL TEAMS.—In carrying out
20 subsection (a), the Secretary shall establish cross func-
21 tional teams to determine regions where deployment of
22 water harvesting technologies could reduce conflict and po-
23 tentially eliminate the need for the presence of the Armed
24 Forces.

1 **SEC. 219. DEVELOPMENT AND TESTING OF HYPERSONIC**
2 **CAPABILITIES.**

3 (a) SENSE OF CONGRESS ON HYPERSONIC CAPABILI-
4 TIES.—It is the sense of Congress that development of
5 hypersonic capabilities is a key element of the National
6 Defense Strategy.

7 (b) IMPROVING GROUND-BASED TEST FACILITIES.—
8 The Secretary of Defense shall take such actions as may
9 be necessary to improve ground-based test facilities for the
10 development of hypersonic capabilities, such as improving
11 wind tunnels.

12 (c) INCREASING FLIGHT TEST RATE.—The Sec-
13 retary shall increase the flight test rate to expedite the
14 maturation and fielding of hypersonic technologies.

15 (d) STRATEGY AND PLAN.—

16 (1) IN GENERAL.—Not later than December 30,
17 2020, the Under Secretary of Defense for Research
18 and Engineering, in consultation with the Chief of
19 Staff of the Air Force, shall submit to the congres-
20 sional defense committees an executable strategy
21 and plan to field air-launched and air-breathing
22 hypersonic weapons capability before the date that is
23 three years after the date of the enactment of this
24 Act.

25 (2) TESTING AND INFRASTRUCTURE.—The
26 strategy and plan submitted under paragraph (1)

1 shall cover required investments in testing and infra-
2 structure to address the need for both flight and
3 ground testing.

4 **SEC. 220. DISCLOSURE REQUIREMENTS FOR RECIPIENTS**
5 **OF DEPARTMENT OF DEFENSE RESEARCH**
6 **AND DEVELOPMENT GRANTS.**

7 (a) DISCLOSURE REQUIREMENTS.—

8 (1) IN GENERAL.—Chapter 139 of title 10,
9 United States Code, is amended by adding at the
10 end the following new section:

11 **“§ 2374b. Disclosure requirements for recipients of**
12 **research and development grants**

13 “An individual or entity (including a State or local
14 government) that receives Department of Defense grant
15 funds for research and development shall clearly state in
16 any statement, press release, or other document describing
17 the program, project, or activity funded through such
18 grant funds, other than a communication containing not
19 more than 280 characters, the dollar amount of Depart-
20 ment grant funds made available for the program, project,
21 or activity.”.

22 (2) CLERICAL AMENDMENT.—The table of sec-
23 tions at the beginning of chapter 139 of such title
24 is amended by adding at the end the following new
25 item:

“2374b. Disclosure requirements for recipients of research and development grants.”.

1 (b) **EFFECTIVE DATE.**—The amendments made by
 2 subsection (a) shall take effect on October 1, 2021, and
 3 shall apply with respect to grants for research and devel-
 4 opment that are awarded by the Department of Defense
 5 on or after that date.

6 **Subtitle C—Plans, Reports, and**
 7 **Other Matters**

8 **SEC. 231. ASSESSMENT ON UNITED STATES NATIONAL SE-**
 9 **CURITY EMERGING BIOTECHNOLOGY EF-**
 10 **FORTS AND CAPABILITIES AND COMPARISON**
 11 **WITH ADVERSARIES.**

12 (a) **ASSESSMENT AND COMPARISON REQUIRED.**—

13 (1) **IN GENERAL.**—The Secretary of Defense,
 14 acting through the Under Secretary of Defense for
 15 Research and Engineering and the Under Secretary
 16 of Defense for Intelligence, shall conduct an assess-
 17 ment and direct comparison of capabilities in emerg-
 18 ing biotechnologies for national security purposes,
 19 including applications in material, manufacturing,
 20 and health, between the capabilities of the United
 21 States and the capabilities of adversaries of the
 22 United States.

1 (2) ELEMENTS.—The assessment and compari-
2 son carried out under paragraph (1) shall include
3 the following:

4 (A) An evaluation of the quantity, quality,
5 and progress of United States fundamental and
6 applied research for emerging biotechnology ini-
7 tiatives for national security purposes.

8 (B) An assessment of the resourcing of
9 United States efforts to harness emerging bio-
10 technology capabilities for national security pur-
11 poses, including the supporting facilities, test
12 infrastructure, and workforce.

13 (C) An intelligence assessment of adver-
14 sary emerging biotechnology capabilities and re-
15 search as well as an assessment of adversary in-
16 tent and willingness to use emerging biotech-
17 nologies for national security purposes.

18 (D) An assessment of the analytic and
19 operational subject matter expertise necessary
20 to assess rapidly-evolving foreign military devel-
21 opments in biotechnology, and the current state
22 of the workforce in the intelligence community

23 (E) Recommendations to improve and ac-
24 celerate United States capabilities in emerging

1 biotechnologies and the associated intelligence
2 community expertise.

3 (F) Such other matters as the Secretary
4 considers appropriate.

5 (b) REPORT.—

6 (1) IN GENERAL.—Not later than February 1,
7 2021, the Secretary shall submit to the congress-
8 sional defense committees a report on the assess-
9 ment carried out under subsection (a).

10 (2) FORM.—The report submitted under para-
11 graph (1) shall be submitted in the following for-
12 mats—

13 (A) unclassified form, which may include a
14 classified annex; and

15 (B) publically releasable form, representing
16 appropriate information from the report under
17 subparagraph (A).

18 (c) DEFINITION OF INTELLIGENCE COMMUNITY.—In
19 this subsection, the term “intelligence community” has the
20 meaning given such term in section 3 of the National Se-
21 curity Act of 1947 (50 U.S.C. 3003).

1 **SEC. 232. INDEPENDENT COMPARATIVE ANALYSIS OF EF-**
2 **FORTS BY CHINA AND THE UNITED STATES**
3 **TO RECRUIT AND RETAIN RESEARCHERS IN**
4 **NATIONAL SECURITY-RELATED FIELDS.**

5 (a) AGREEMENT.—

6 (1) IN GENERAL.—The Secretary of Defense
7 shall seek to enter into an agreement with the Na-
8 tional Academies of Sciences, Engineering, and Med-
9 icine for the National Academies of Sciences, Engi-
10 neering, and Medicine to perform the services cov-
11 ered by this section.

12 (2) TIMING.—The Secretary shall seek to enter
13 into the agreement described in paragraph (1) not
14 later than 60 days after the date of the enactment
15 of this Act.

16 (b) REVIEW.—

17 (1) IN GENERAL.—Under an agreement be-
18 tween the Secretary and the National Academies of
19 Sciences, Engineering, and Medicine under this sec-
20 tion, the National Academies of Sciences, Engineer-
21 ing, and Medicine shall carry out a comparative
22 analysis of efforts by China and the United States
23 Government to recruit and retain domestic and for-
24 eign researchers and develop recommendations for
25 the Department of Defense.

1 (2) ELEMENTS.—The comparative analysis car-
2 ried out under paragraph (1) and the recommenda-
3 tions developed under such paragraph shall include
4 the following:

5 (A) A list of the “talent programs” used
6 by China and a list of the incentive programs
7 used by the United States to recruit and retain
8 relevant researchers.

9 (B) The types of researchers, scientists,
10 other technical experts, and fields targeted by
11 each talent program listed under subparagraph
12 (A).

13 (C) The number of researchers in aca-
14 demia, the Department of Defense Science and
15 Technology Reinvention Laboratories, and na-
16 tional security science and engineering pro-
17 grams of the National Nuclear Security Admin-
18 istration targeted by the talent programs listed
19 under subparagraph (A).

20 (D) The number of personnel currently
21 participating in the talent programs listed
22 under subparagraph (A) and the number of re-
23 searchers currently participating in the incen-
24 tive programs listed under such subparagraph.

1 (E) The incentives offered by each of the
2 talent programs listed under subparagraph (A)
3 and a description of the incentives offered
4 through incentive programs under such sub-
5 paragraph to recruit and retain researchers, sci-
6 entists, and other technical experts.

7 (F) A characterization of the national se-
8 curity, economic, and scientific benefits China
9 gains through the talent programs listed under
10 subparagraph (A) and a description of similar
11 gains accrued to the United States through in-
12 centive programs listed under such subpara-
13 graph.

14 (G) A list of findings and recommenda-
15 tions relating to policies that can be imple-
16 mented by the United States, especially the De-
17 partment of Defense, to improve the relative ef-
18 fectiveness of United States activities to recruit
19 and retain researchers, scientists, and other
20 technical experts relative to China.

21 (c) REPORT.—

22 (1) IN GENERAL.—Not later than one year
23 after the date of the execution of an agreement
24 under subsection (a), the National Academies of
25 Sciences, Engineering, and Medicine shall submit to

1 the congressional defense committees a report on the
2 findings National Academies of Sciences, Engineer-
3 ing, and Medicine with respect to the review carried
4 out under this section and the recommendations de-
5 veloped under this section.

6 (2) FORM.—The report submitted under para-
7 graph (1) shall be submitted in a publicly releasable
8 and unclassified formats, but may include a classi-
9 fied annex.

10 **SEC. 233. DEPARTMENT OF DEFENSE DEMONSTRATION OF**
11 **VIRTUALIZED RADIO ACCESS NETWORK AND**
12 **MASSIVE MULTIPLE INPUT MULTIPLE OUT-**
13 **PUT RADIO ARRAYS FOR FIFTH GENERATION**
14 **WIRELESS NETWORKING.**

15 (a) DEMONSTRATION REQUIRED.—The Secretary of
16 Defense shall carry out a demonstration to demonstrate
17 the maturity, performance, and cost of covered tech-
18 nologies in order to provide additional options for pro-
19 viders of fifth-generation (5G) wireless networking serv-
20 ices.

21 (b) COVERED TECHNOLOGIES.—For purposes of this
22 section, a covered technology is—

23 (1) a disaggregated or virtualized radio access
24 network and core where components can be provided

1 by different vendors and interoperate through open
2 protocols and interfaces; and

3 (2) one or more massive multiple input and
4 multiple output radio arrays provided by United
5 States companies that have the potential to compete
6 favorably with radios produced by foreign companies
7 in terms of cost, performance, and efficiency.

8 (c) LOCATION.—The Secretary shall carry out the
9 demonstration under subsection (a) at at least one site
10 where the Secretary of Defense plans to deploy a fifth-
11 generation wireless network.

12 (d) COORDINATION.—The Secretary shall carry out
13 the demonstration under subsection (a) in coordination
14 with at least one major United States wireless network
15 service provider.

16 **SEC. 234. INDEPENDENT TECHNICAL REVIEW OF FEDERAL**
17 **COMMUNICATIONS COMMISSION ORDER 20-**
18 **48.**

19 (a) AGREEMENT.—

20 (1) IN GENERAL.—The Secretary of Defense
21 shall seek to enter into an agreement with the Na-
22 tional Academies of Sciences, Engineering, and Med-
23 icine for the National Academies of Sciences, Engi-
24 neering, and Medicine to perform the services cov-
25 ered by this section.

1 (2) TIMING.—The Secretary shall seek to enter
2 into the agreement described in paragraph (1) not
3 later than 30 days after the date of the enactment
4 of this Act.

5 (b) INDEPENDENT TECHNICAL REVIEW.—

6 (1) IN GENERAL.—Under an agreement be-
7 tween the Secretary and the National Academies of
8 Sciences, Engineering, and Medicine under sub-
9 section (a), the National Academies of Sciences, En-
10 gineering, and Medicine shall carry out an inde-
11 pendent technical review of the Order and Author-
12 ization adopted by the Federal Communications
13 Commission on April 19, 2020 (FCC 20–48), to the
14 extent that such order and authorization affects the
15 devices, operations, or activities of the Department
16 of Defense.

17 (2) ELEMENTS.—The independent technical re-
18 view carried out under paragraph (1) shall include
19 the following:

20 (A) Comparison of the two different ap-
21 proaches on which the Commission relied for
22 the order and authorized described in para-
23 graph (1) to evaluate the potential harmful in-
24 terference concerns relating to Global Posi-
25 tioning System devices, with a recommendation

1 on which method most effectively mitigates
2 risks of harmful interference with Global Posi-
3 tioning System devices of the Department, or
4 relating to or with the potential to affect the
5 operations and activities of the Department.

6 (B) Assessment of the potential for harm-
7 ful interference to mobile satellite services, in-
8 cluding commercial services and Global Posi-
9 tioning System services of the Department, or
10 relating to or with the potential to affect the
11 operations and activities of the Department.

12 (C) Review of the feasibility, practicality,
13 and effectiveness of the proposed mitigation
14 measures relating to, or with the potential to
15 affect, the devices, operations, or activities of
16 the Department.

17 (D) Development of recommendations as-
18 sociated with the findings of the National Acad-
19 emies of Sciences, Engineering, and Medicine in
20 carrying out the independent technical review.

21 (E) Such other matters as the National
22 Academies of Sciences, Engineering, and Medi-
23 cine determines relevant.

24 (c) REPORT.—

1 (1) IN GENERAL.—Under an agreement be-
2 tween the Secretary and the National Academies of
3 Sciences, Engineering, and Medicine under sub-
4 section (a), the National Academies of Sciences, En-
5 gineering, and Medicine shall, not later than nine
6 months after the date of the execution of such agree-
7 ment, the National Academies of Sciences, Engineer-
8 ing, and Medicine shall submit to the Committee on
9 Armed Services of the Senate and the Committee on
10 Armed Services of the House of Representatives a
11 report on the findings of the National Academies of
12 Sciences, Engineering, and Medicine with respect to
13 the independent technical review carried out under
14 subsection (b) and the recommendations developed
15 pursuant to such review.

16 (2) FORM.—The report submitted under para-
17 graph (1) shall be submitted in a publicly releasable
18 and unclassified formats, but may include a classi-
19 fied annex.

20 **SEC. 235. REPORT ON MICRO NUCLEAR REACTOR PRO-**
21 **GRAMS.**

22 (a) REPORT REQUIRED.—The Secretary of Defense
23 shall submit to the appropriate congressional committees
24 a report on the micro nuclear reactor programs of the De-
25 partment of Defense.

1 (b) CONTENTS.—The report required by subsection

2 (a) shall include the following:

3 (1) Potential operational uses on United States
4 and non-United States territory, including both mo-
5 bile and fixed systems.

6 (2) Cost and schedule estimates for each new or
7 ongoing program to reach initial operational capa-
8 bility, including the timeline for transition of any
9 program currently funded using defense-wide funds
10 to one or more military services and the identified
11 transition partner in such military services.

12 (3) In consultation with the Assistant Secretary
13 of Defense for Nuclear, Chemical, and Biological
14 Defense programs, an assessment of physical secu-
15 rity requirements for use of such reactors on domes-
16 tic military installations and non-United States non-
17 domestic installations or locations, including fully
18 permissive, semi-permissive, and remote environ-
19 ments, including a preliminary design basis threat
20 analysis.

21 (4) In coordination with the Secretary of
22 State—

23 (A) an assessment of any agreements or
24 changes to agreements that would be required

1 for use of such reactors on non-United States
2 territory;

3 (B) an assessment of applicability of for-
4 foreign regulations or International Atomic En-
5 ergy Agency safeguards for use on non-United
6 States territory; and

7 (C) other policy implications of deployment
8 of such systems on non-United States territory.

9 (5) In coordination with the Chairman of the
10 Nuclear Regulatory Commission, a summary of li-
11 censing requirements for operation of such systems
12 on United States territory.

13 (6) A summary of requirements pursuant to the
14 National Environmental Policy Act of 1969 (42
15 U.S.C. 4321 et seq.) for development and operation
16 on United States territory.

17 (7) In consultation with the General Counsel of
18 the Department of Defense, an assessment of any
19 issues relating to indemnification for operation on
20 United States or non-United States territory and
21 any other relevant legal matters.

22 (8) In coordination with the Secretary of State
23 and the Secretary of Energy, a determination of
24 whether development, production, and deployment of

1 such systems would require unobligated enriched
2 uranium fuel.

3 (9) If the determination in paragraph (8) is
4 that unobligated fuel would be required, in coordina-
5 tion with the Administrator for Nuclear Security, an
6 assessment of the availability of such unobligated
7 enriched uranium fuel, by year, for the estimated life
8 of the program, considered with other United States
9 Government demands for such fuel, including trit-
10 ium production, naval nuclear propulsion, and med-
11 ical isotope production.

12 (10) Any other considerations the Secretary de-
13 termines relevant.

14 (c) CONSULTATION.—In addition to consultation and
15 coordination required under subsection (b), the Secretary
16 shall, in producing the report required by subsection (a),
17 consult with the Secretary of the Army, the Chairman of
18 the Joint Chiefs of Staff, the Under Secretary of Defense
19 for Policy, the Director of Naval Nuclear Propulsion, and
20 such other officials as the Secretary considers necessary.

21 (d) FORM.—The report submitted under subsection
22 (a) shall be submitted in unclassified form, but may in-
23 clude a classified annex.

24 (e) DEFINITIONS.—In this section:

1 (1) The term “appropriate congressional com-
2 mittees” means—

3 (A) the Committee on Armed Services, the
4 Committee on Appropriations, the Committee
5 on Energy and Natural Resources, the Com-
6 mittee on Environment and Public Works, and
7 the Committee on Foreign Relations of the Sen-
8 ate; and

9 (B) the Committee on Armed Services, the
10 Committee on Appropriations, the Committee
11 on Energy and Commerce, the Committee on
12 Natural Resources, and the Committee on For-
13 eign Affairs of the House of Representatives.

14 (2) The term “micro nuclear reactor” means a
15 nuclear reactor with a production capacity of less
16 than 20 megawatts.

17 **SEC. 236. MODIFICATION TO TEST RESOURCE MANAGE-**
18 **MENT CENTER STRATEGIC PLAN REPORTING**
19 **CYCLE AND CONTENTS.**

20 (a) QUADRENNIAL STRATEGIC PLAN.—Section 196
21 of title 10, United States Code, is amended—

22 (1) in subsections (e)(1)(C) and (e)(2)(B), by
23 inserting “quadrennial” before “strategic plan”; and

24 (2) in subsection (d)—

1 (A) in the heading, by inserting “QUAD-
2 RENNIAL” before “STRATEGIC PLAN”; and

3 (B) by inserting “quadrennial” before
4 “strategic plan” each place it occurs.

5 (b) TIMING AND COVERAGE OF PLAN.—Subsection
6 (d)(1) of such section, as amended by subsection (a)(2),
7 is further amended—

8 (1) in the first sentence, by striking “two fiscal
9 years” and inserting “four fiscal years, and within
10 one year after release of the National Defense Strat-
11 egy,” ; and

12 (2) in the second sentence, by striking “thirty
13 fiscal years” and inserting “15 fiscal years”.

14 (c) AMENDMENT TO CONTENTS OF PLAN.—Sub-
15 section (d)(2) of such section, as amended by subsection
16 (a)(2), is further amended—

17 (1) by striking subparagraph (B);

18 (2) by redesignating subparagraphs (C) through
19 (G) as subparagraphs (B) through (F), respectively;
20 and

21 (3) in subparagraph (B), as redesignated by
22 paragraph (2), by striking “based on current” and
23 all that follows through the end and inserting “for
24 test and evaluation of the Department of Defense

1 major weapon systems based on current and emerg-
2 ing threats.”.

3 (d) ANNUAL UPDATE TO PLAN.—Subsection (d) of
4 such section is amended by adding at the end the following
5 new paragraph:

6 “(5)(A) In addition to the quadrennial strategic plan
7 completed under paragraph (1), the Director of the De-
8 partment of Defense Test Resource Management Center
9 shall also complete an annual update to the quadrennial
10 strategic plan.

11 “(B) Each annual update completed under subpara-
12 graph (A) shall include the following:

13 “(i) A summary of changes to the assessment
14 provided in the most recent quadrennial strategic
15 plan.

16 “(ii) Comments and recommendations the Di-
17 rector considers appropriate.

18 “(iii) Test and evaluation challenges raised
19 since the completion of the most recent quadrennial
20 strategic plan.

21 “(iv) Actions taken or planned to address such
22 challenges.”.

23 (e) TECHNICAL CORRECTION.—Subsection (d)(1) of
24 such, as amended by subsections (a)(2) and (b), is further

1 amended by striking “Test Resources Management Cen-
2 ter” and inserting “Test Resource Management Center”.

3 **SEC. 237. LIMITATION ON CONTRACT AWARDS FOR CER-**
4 **TAIN UNMANNED VESSELS.**

5 (a) **LIMITATION.**—None of the funds authorized to
6 be appropriated for fiscal year 2021 by section 201 for
7 research, development, test, and evaluation may be used
8 for the award of a contract for a covered vessel until the
9 date that is 30 days after the date on which the Under
10 Secretary of Defense for Research and Engineering sub-
11 mits to the congressional defense committees a report and
12 certification described in subsection (c) for such contract
13 and covered vessel.

14 (b) **COVERED VESSELS.**—For purposes of this sec-
15 tion, a covered vessel is one of the following:

16 (1) A large unmanned surface vessel (LUSV).

17 (2) A medium unmanned surface vehicle
18 (MUSV).

19 (3) A large displacement unmanned undersea
20 vehicle (LDUUV).

21 (4) An extra-large unmanned undersea vehicle
22 (XLUUV).

23 (c) **REPORT AND CERTIFICATION DESCRIBED.**—A re-
24 port and certification described in this subsection regard-
25 ing a contract for a covered vessel is—

1 (1) a report—

2 (A) submitted to the congressional defense
3 committees not later than 60 days after the
4 date of the completion of an independent tech-
5 nical risk assessment for such covered vessel;
6 and

7 (B) on the findings of the Under Secretary
8 with respect to such assessment; and

9 (2) a certification, submitted to the congres-
10 sional defense committees with the report described
11 in paragraph (1), that certifies that—

12 (A) the Under Secretary has determined,
13 in conjunction with the Senior Technical Au-
14 thority designated under section 8669b(a)(1) of
15 title 10, United States Code, for the class of
16 naval vessels that includes the covered vessel,
17 that the critical mission, hull, mechanical, and
18 electrical subsystems of the covered vessel—

19 (i) have been demonstrated in vessel-
20 representative form, fit, and function; and

21 (ii) have achieved performance levels
22 equal to or greater than applicable Depart-
23 ment of Defense threshold requirements
24 for such class of vessels; and

1 (B) such contract is necessary to meet De-
2 partment research, development, test, and eval-
3 uation objectives for such covered vessel that
4 cannot otherwise be met through further land-
5 based subsystem prototyping or other dem-
6 onstration approaches.

7 (d) CRITICAL MISSION, HULL, MECHANICAL, AND
8 ELECTRICAL SUBSYSTEMS DEFINED.—In this section, the
9 term “critical mission, hull, mechanical, and electrical sub-
10 systems”, with respect to a covered vessel, includes the
11 following subsystems:

12 (1) Command, control, communications, com-
13 puters, intelligence, surveillance, and reconnaissance.

14 (2) Autonomous vessel navigation, vessel con-
15 trol, contact management, and contact avoidance.

16 (3) Communications security, including
17 cryptography, encryption, and decryption.

18 (4) Main engines, including the lube oil, fuel oil,
19 and other supporting systems.

20 (5) Electrical generation and distribution, in-
21 cluding supporting systems.

22 (6) Military payloads.

23 (7) Any other subsystem identified as critical by
24 the Senior Technical Authority designated under
25 section 8669b(a)(1) of title 10, United States Code,

1 for the class of naval vessels that includes the cov-
2 ered vessel.

3 **SEC. 238. DOCUMENTATION RELATING TO THE ADVANCED**
4 **BATTLE MANAGEMENT SYSTEM.**

5 (a) DOCUMENTATION REQUIRED.—Immediately
6 upon the enactment of this Act, the Secretary of the Air
7 Force shall submit to the congressional defense commit-
8 tees the following documentation relating to the Advanced
9 Battle Management System:

10 (1) A list that identifies each program, project,
11 and activity that contributes to the architecture of
12 the Advanced Battle Management System.

13 (2) The final analysis of alternatives for the
14 Advanced Battle Management System.

15 (3) The requirements for the networked data
16 architecture necessary for the Advanced Battle Man-
17 agement System to provide multidomain command
18 and control and battle management capabilities and
19 a development schedule for such architecture.

20 (b) LIMITATION.—Of the funds authorized to be ap-
21 propriated by this Act for fiscal year 2021 for operations
22 and maintenance for the Office of the Secretary of the
23 Air Force, not more than 25 percent may be obligated
24 until the date that is 30 days after the date on which the
25 Secretary of the Air Force submits to the congressional

1 defense committees the documentation required by sub-
2 section (a) and the Vice Chairman of the Vice Chairman
3 of the Joint Chiefs certifies the documentation.

4 (c) **ADVANCED BATTLE MANAGEMENT SYSTEM.**—In
5 this section, the term “Advanced Battle Management Sys-
6 tem” means the Advanced Battle Management System of
7 Systems capability of the Air Force, including each pro-
8 gram, project, and activity that contributes to such capa-
9 bility.

10 **SEC. 239. ARMED SERVICES VOCATIONAL APTITUDE BAT-**
11 **TERY TEST SPECIAL PURPOSE ADJUNCT TO**
12 **ADDRESS COMPUTATIONAL THINKING.**

13 Not later than one year after the date of the enact-
14 ment of this Act, the Secretary of Defense shall establish
15 a special purpose test adjunct to the Armed Services Voca-
16 tional Aptitude Battery test to address computational
17 thinking skills relevant to military applications, including
18 problem decomposition, abstraction, pattern recognition,
19 analytical ability, the identification of variables involved
20 in data representation, and the ability to create algorithms
21 and solution expressions.

1 **SEC. 240. REPORT ON USE OF TESTING FACILITIES TO RE-**
2 **SEARCH AND DEVELOP HYPERSONIC TECH-**
3 **NOLOGY.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall submit
6 to the congressional defense committees a report on the
7 costs and benefits of the use and potential refurbishment
8 of existing operating and mothballed Federal research and
9 testing facilities to support hypersonics activities of the
10 Department of Defense.

11 **SEC. 241. STUDY AND PLAN ON THE USE OF ADDITIVE MAN-**
12 **UFACTURING AND THREE-DIMENSIONAL BIO-**
13 **PRINTING IN SUPPORT OF THE WARFIGHTER.**

14 (a) **STUDY.**—The Secretary of Defense shall conduct
15 a study on the use of additive manufacturing and three-
16 dimensional bioprinting across the Military Health Sys-
17 tem.

18 (b) **ELEMENTS.**—The study required by subsection
19 (a) shall examine the activities currently underway by each
20 of the military services and the Department agencies, in-
21 cluding costs, sources of funding, oversight, collaboration,
22 and outcomes.

23 (c) **REPORT.**—Not later than 180 days after the date
24 of the enactment of this Act, the Secretary of Defense
25 shall submit to the Committee on Armed Services of the
26 Senate and the Committee on Armed Services of the

1 House of Representatives a report on the results of the
 2 study conducted under subsection (a).

3 **SEC. 242. ELEMENT IN ANNUAL REPORTS ON CYBER**
 4 **SCIENCE AND TECHNOLOGY ACTIVITIES ON**
 5 **WORK WITH ACADEMIC CONSORTIA ON HIGH**
 6 **PRIORITY CYBERSECURITY RESEARCH AC-**
 7 **TIVITIES IN DEPARTMENT OF DEFENSE CA-**
 8 **PABILITIES.**

9 Section 257(b)(2) of the National Defense Authoriza-
 10 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
 11 Sta. 1291) is amended by adding at end the following new
 12 subparagraph:

13 “(J) Efforts to work with academic con-
 14 sortia on high priority cybersecurity research
 15 activities.”.

16 **TITLE III—OPERATION AND**
 17 **MAINTENANCE**
 18 **Subtitle A—Authorization of**
 19 **Appropriations**

20 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

21 Funds are hereby authorized to be appropriated for
 22 fiscal year 2021 for the use of the Armed Forces and other
 23 activities and agencies of the Department of Defense for
 24 expenses, not otherwise provided for, for operation and

1 maintenance, as specified in the funding table in section
2 4301.

3 **Subtitle B—Energy and** 4 **Environment**

5 **SEC. 311. MODIFICATIONS AND TECHNICAL CORRECTIONS** 6 **TO ENSURE RESTORATION OF CONTAMINA-** 7 **TION BY PERFLUOROOCTANE SULFONATE** 8 **AND PERFLUOROOCTANOIC ACID.**

9 (a) DEFINITION FOR PFOA AND PFOS.—Section
10 2700 of title 10, United States Code, is amended by add-
11 ing at the end the following new paragraphs:

12 “(4) The term ‘perfluorooctane sulfonate’
13 means perfluorooctane sulfonic acid or sulfonate
14 (commonly referred to as ‘PFOS’) (Chemical Ab-
15 stracts Service No. 1763–23–1) and the salts associ-
16 ated with perfluorooctane sulfonic acid or sulfonate
17 (Chemical Abstracts Service Nos. 2795–39–3,
18 29457–72–5, 56773–42–3, 29081–56–9, and
19 70225–14–8).

20 “(5) The term ‘perfluorooctanoic acid’ means
21 perfluorooctanoic acid (commonly referred to as
22 ‘PFOA’) (Chemical Abstracts Service No. 335–67–
23 1) and the salts associated with perfluorooctanoic
24 acid (Chemical Abstracts Service Nos. 3825–26–1,
25 335–95–5, and 68141–02–6).”.

1 (b) MODIFICATION OF ENVIRONMENTAL RESTORA-
2 TION ACCOUNTS.—Section 2703 of such title is amend-
3 ed—

4 (1) in subsection (e)(2), by striking “environ-
5 mental”;

6 (2) in subsection (f), by striking “to the Envi-
7 ronmental Restoration Account, Defense, or to any
8 environmental restoration account of a military de-
9 partment,” and inserting “or transferred to an ac-
10 count established under subsection (a)”;

11 (3) by striking subsection (g) and inserting the
12 following:

13 “(g) SOLE SOURCE OF FUNDS FOR RESPONSES
14 UNDER THIS CHAPTER.—Except as provided in sub-
15 section (h), the sole source of funds for all phases of a
16 response under this chapter shall be the applicable envi-
17 ronmental restoration account established under sub-
18 section (a).”; and

19 (4) in subsection (h)—

20 (A) in the subsection heading, by striking
21 “ENVIRONMENTAL REMEDIATION” and insert-
22 ing “RESPONSES”; and

23 (B) by striking “services procured under
24 section 2701(d)(1) of this title” and inserting
25 “a response”.

1 (c) MODIFICATION OF AUTHORITY FOR ENVIRON-
2 MENTAL RESTORATION PROJECTS OF NATIONAL
3 GUARD.—

4 (1) IN GENERAL.—Section 2707(e) of such title
5 is amended—

6 (A) by striking “Notwithstanding” and in-
7 serting “(1) Notwithstanding”;

8 (B) by inserting “where military activities
9 are conducted by the National Guard of a State
10 under title 32” after “facility”; and

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

13 “(2) The Secretary concerned may use the authority
14 under section 2701(d) of this title to carry out environ-
15 mental restoration projects under paragraph (1).”.

16 (2) CORRECTION OF DEFINITION OF FACIL-
17 ITY.—Paragraph (2) of section 2700 of such title is
18 amended—

19 (A) in subparagraph (A), by striking “(A)
20 The terms” and inserting “The terms”; and

21 (B) by striking subparagraph (B).

22 (d) EXTENSION OF CONTRACT AUTHORITY.—Section
23 2708(b) of such title is amended—

1 (1) in paragraph (1), by striking “fiscal years
2 1992 through 1996” and inserting “a period speci-
3 fied in paragraph (3)”; and

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

6 “(3) A period specified in this paragraph is—

7 “(A) the period of fiscal years 1992 through
8 1996; or

9 “(B) on or after the date of the enactment of
10 the National Defense Authorization Act for Fiscal
11 Year 2021.”.

12 (e) TECHNICAL CONSISTENCY FOR MUNITIONS RE-
13 SPONSE.—

14 (1) PROGRAM GOALS.—Section 2701(b)(2) of
15 such title is amended by striking “of unexploded
16 ordnance” and inserting “of unexploded ordnance,
17 discarded military munitions, and munitions con-
18 stituents in a manner consistent with section 2710
19 of this title”.

20 (2) ENVIRONMENTAL RESTORATION AC-
21 COUNTS.—Section 2703(b) of such title is amended
22 by striking the second sentence and inserting the fol-
23 lowing new sentence: “Such remediation shall be
24 conducted in a manner consistent with section 2710
25 of this title.”.

1 (3) TRANSFER OF DEFINITIONS.—

2 (A) TRANSFER.—Paragraphs (2) and (3)
3 of section 2710(e) of such title are—

4 (i) transferred to section 2700 of such
5 title;

6 (ii) added at the end of such section;

7 and

8 (iii) redesignated as paragraphs (6)
9 and (7), respectively.

10 (B) REDESIGNATION OF DEFINITIONS.—

11 Section 2710(e) of such title is amended by re-
12 designating paragraphs (4) through (7) as
13 paragraphs (2) through (5), respectively.

14 (4) CONFORMING AMENDMENTS.—Section
15 313(d) of the John Warner National Defense Au-
16 thorization Act for Fiscal Year 2007 (Public Law
17 109–364; 10 U.S.C. 2710 note) is amended—

18 (A) in paragraph (2)—

19 (i) by striking “‘discarded military
20 munitions’, ‘munitions constituents’, and
21 ‘defense sites’” and inserting “‘discarded
22 military munitions’ and ‘munitions con-
23 stituents’”; and

24 (ii) by striking “section 2710(e)” and
25 inserting “section 2700”; and

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

3 “(3) The term ‘defense site’ has the meaning
4 given such term in section 2710(e) of such title.”.

5 (f) TECHNICAL CORRECTION REGARDING COOPERA-
6 TIVE AGREEMENTS.—Section 332(a)(2) of the National
7 Defense Authorization Act for Fiscal Year 2020 (Public
8 Law 116–92) is amended, in the matter preceding sub-
9 paragraph (A), by striking “shall meet or exceed the most
10 stringent of the following” and inserting “relating to a re-
11 sponse shall reflect application to the response of the most
12 protective of the following”.

13 **SEC. 312. READINESS AND ENVIRONMENTAL PROTECTION**
14 **INTEGRATION PROGRAM TECHNICAL EDITS**
15 **AND CLARIFICATION.**

16 (a) USE OF FUNDS.—Section 2684a(i) of title 10,
17 United States Code, is amended by adding at the end the
18 following new paragraph:

19 “(3) Funds obligated to carry out an agreement
20 under this section shall be available for use with regard
21 to any property in the geographic scope specified in the
22 agreement—

23 “(A) at the time the funds are obligated; and

24 “(B) in any subsequent modification to the
25 agreement.”.

1 (b) CLARIFICATION OF REFERENCES TO ELIGIBLE
2 ENTITIES.—

3 (1) DEFINITION.—Subsection (b) of section
4 2684a of title 10, United States Code, is amended,
5 in the matter preceding paragraph (1), by striking
6 “An agreement under this section may be entered
7 into with” and inserting “For purposes of this sec-
8 tion, an eligible entity is”.

9 (2) ACQUISITION OF PROPERTY AND INTER-
10 ESTS.—Subsection (d)(1) of such section is amended
11 by striking “the entity or entities” each place it ap-
12 pears and inserting “an eligible entity or entities”.

13 (3) RETROACTIVE APPLICATION.—The amend-
14 ments made by paragraphs (1) and (2) shall apply
15 to any agreement entered into under section 2684a
16 of title 10, United States Code, on or after Decem-
17 ber 2, 2002.

18 **SEC. 313. SURVEY AND MARKET RESEARCH OF TECH-**
19 **NOLOGIES FOR PHASE OUT BY DEPARTMENT**
20 **OF DEFENSE OF USE OF FLUORINATED**
21 **AQUEOUS FILM-FORMING FOAM.**

22 (a) SURVEY OF TECHNOLOGIES AND MARKET RE-
23 SEARCH.—

24 (1) IN GENERAL.—The Secretary of Defense
25 shall conduct a survey and market research of rel-

1 evant technologies, other than fire-fighting agent so-
2 lutions, to determine whether any such technologies
3 are available and can be adapted quickly for use by
4 the Department of Defense to execute the phase-out
5 by the Department of the use of fluorinated aqueous
6 film-forming foam.

7 (2) TECHNOLOGIES INCLUDED.—The tech-
8 nologies surveyed or researched under paragraph (1)
9 shall include the following:

10 (A) Hangar flooring systems.

11 (B) Liquid drainage flood assemblies.

12 (C) Fire-fighting agent delivery systems.

13 (D) Containment systems.

14 (E) Such other relevant technologies as the
15 Secretary determines appropriate.

16 (b) BRIEFING.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary shall brief the congressional defense commit-
20 tees on the results of the survey and market re-
21 search conducted under subsection (a).

22 (2) ELEMENTS OF BRIEFING.—The briefing re-
23 quired under paragraph (1) shall include the fol-
24 lowing:

1 (A) A description of the technologies sur-
2 veysed and researched under subsection (a).

3 (B) An identification of any such tech-
4 nologies that were considered for further testing
5 or analysis.

6 (C) An identification of any other tech-
7 nologies useful for the phase-out by the Depart-
8 ment of the use of fluorinated aqueous film-
9 forming foam that are undergoing additional
10 analysis for possible application within the De-
11 partment.

12 **SEC. 314. MODIFICATION OF AUTHORITY TO CARRY OUT**
13 **MILITARY INSTALLATION RESILIENCE**
14 **PROJECTS.**

15 (a) MODIFICATION OF AUTHORITY.—Section 2815 of
16 title 10, United States Code is amended—

17 (1) in subsection (a), by inserting “(except as
18 provided in subsections (d)(3) and (e))” before the
19 period at the end;

20 (2) in subsection (c), by striking “A project”
21 and inserting “Except as provided in subsection
22 (e)(2), a project”;

23 (3) by redesignating subsection (d) as sub-
24 section (f); and

1 (4) by inserting after subsection (c) the fol-
2 lowing new subsections:

3 “(d) LOCATION OF PROJECTS.—Projects carried out
4 pursuant to this section may be carried out—

5 “(1) on a military installation;

6 “(2) on a facility used by the Department of
7 Defense that is owned and operated by a State, the
8 District of Columbia, the Commonwealth of Puerto
9 Rico, American Samoa, Guam, the Commonwealth
10 of the Northern Mariana Islands, or the Virgin Is-
11 lands, even if the facility is not under the jurisdic-
12 tion of the Department of Defense, if the Secretary
13 of Defense determines that the facility is subject to
14 significant use by the armed forces for testing or
15 training; or

16 “(3) outside of a military installation or facility
17 described in paragraph (2) if the Secretary con-
18 cerned determines that the project would preserve or
19 enhance the resilience of—

20 “(A) a military installation;

21 “(B) a facility described in paragraph (2);

22 or

23 “(C) community infrastructure determined
24 by the Secretary concerned to be necessary to
25 maintain, improve, or rapidly reestablish instal-

1 lation mission assurance and mission-essential
2 functions.

3 “(e) ALTERNATIVE FUNDING SOURCE.—(1) In car-
4 rying out a project under this section, the Secretary con-
5 cerned may use amounts available for operation and main-
6 tenance for the military department concerned if the Sec-
7 retary concerned submits a notification to the congres-
8 sional defense committees of the decision to carry out the
9 project using such amounts and includes in the notifica-
10 tion—

11 “(A) the current estimate of the cost of the
12 project;

13 “(B) the source of funds for the project; and

14 “(C) a certification that deferral of the project
15 for inclusion in the next Military Construction Au-
16 thorization Act would be inconsistent with national
17 security or the protection of health, safety, or envi-
18 ronmental quality, as the case may be.

19 “(2) A project carried out under this section using
20 amounts under paragraph (1) may be carried out only
21 after the end of the 7-day period beginning on the date
22 on which a copy of the notification described in paragraph
23 (1) is provided in an electronic medium pursuant to sec-
24 tion 480 of this title.

1 “(3) The maximum aggregate amount that the Sec-
 2 retary concerned may obligate from amounts available to
 3 the military department concerned for operation and
 4 maintenance in any fiscal year for projects under the au-
 5 thority of this subsection is \$100,000,000.”.

6 (b) CONSIDERATION OF MILITARY INSTALLATION
 7 RESILIENCE IN AGREEMENTS AND INTERAGENCY CO-
 8 OPERATION.—Section 2684a of such title is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2)(B)—

11 (i) by striking clause (ii); and

12 (ii) in clause (i)—

13 (I) by striking “(i)”; and

14 (II) by striking “; or” and insert-
 15 ing a semicolon;

16 (B) by redesignating paragraph (3) as
 17 paragraph (4); and

18 (C) by inserting after paragraph (2) the
 19 following new paragraph (3):

20 “(3) maintaining or improving military installa-
 21 tion resilience; or”; and

22 (2) by amending subsection (h) to read as fol-
 23 lows:

24 “(h) INTERAGENCY COOPERATION IN CONSERVATION
 25 AND RESILIENCE PROGRAMS TO AVOID OR REDUCE AD-

1 VERSE IMPACTS ON MILITARY INSTALLATION RESIL-
 2 IENCE AND MILITARY READINESS ACTIVITIES.—In order
 3 to facilitate interagency cooperation and enhance the ef-
 4 fectiveness of actions that will protect the environment,
 5 military installation resilience, and military readiness, the
 6 recipient of funds provided pursuant to an agreement
 7 under this section or under the Sikes Act (16 U.S.C. 670
 8 et seq.) may, with regard to the lands and waters within
 9 the scope of the agreement, use such funds to satisfy any
 10 matching funds or cost-sharing requirement of any con-
 11 servation or resilience program of any Federal agency not-
 12 withstanding any limitation of such program on the source
 13 of matching or cost-sharing funds.”.

14 **SEC. 315. NATIVE AMERICAN INDIAN LANDS ENVIRON-**
 15 **MENTAL MITIGATION PROGRAM.**

16 (a) IN GENERAL.—Chapter 160 of title 10, United
 17 States Code, is amended by adding at the end the fol-
 18 lowing new section:

19 **“§ 2712. Native American lands environmental mitiga-**
 20 **tion program**

21 “(a) ESTABLISHMENT.—The Secretary of Defense
 22 may establish and carry out a program to mitigate the
 23 environmental effects of actions by the Department of De-
 24 fense on Indian lands and culturally connected locations.

1 “(b) PROGRAM ACTIVITIES.—The activities that may
2 be carried out under the program established under sub-
3 section (a) are the following:

4 “(1) Identification, investigation, and docu-
5 mentation of suspected environmental effects attrib-
6 utable to past actions by the Department of De-
7 fense.

8 “(2) Development of mitigation options for such
9 environmental effects, including development of cost-
10 to-complete estimates and a system for prioritizing
11 mitigation actions.

12 “(3) Direct mitigation actions that the Sec-
13 retary determines are necessary and appropriate to
14 mitigate the adverse environmental effects of past
15 actions by the Department.

16 “(4) Demolition and removal of unsafe build-
17 ings and structures used by, under the jurisdiction
18 of, or formerly used by or under the jurisdiction of
19 the Department.

20 “(5) Training, technical assistance, and admin-
21 istrative support to facilitate the meaningful partici-
22 pation of Indian tribes in mitigation actions under
23 the program.

24 “(6) Development and execution of a policy gov-
25 erning consultation with Indian tribes that have

1 been or may be affected by action by the Depart-
2 ment, including training personnel of the Depart-
3 ment to ensure compliance with the policy.

4 “(c) COOPERATIVE AGREEMENTS.—(1) In carrying
5 out the program established under subsection (a), the Sec-
6 retary of Defense may enter into a cooperative agreement
7 with an Indian tribe or an instrumentality of tribal govern-
8 ment.

9 “(2) Notwithstanding chapter 63 of title 31, a coop-
10 erative agreement under this section may be used to ac-
11 quire property or services for the direct benefit of the
12 United States Government.

13 “(3) A cooperative agreement under this section for
14 the procurement of severable services may begin in one
15 fiscal year and end in another fiscal year only if the total
16 period of performance does not exceed two calendar years.

17 “(d) DEFINITIONS.—In this section:

18 “(1) The term ‘Indian land’ includes—

19 “(A) any land located within the bound-
20 aries and a part of an Indian reservation, pueb-
21 lo, or rancheria;

22 “(B) any land that has been allotted to an
23 individual Indian but has not been conveyed to
24 such Indian with full power of alienation;

1 “(C) Alaska Native village and regional
2 corporation lands; and

3 “(D) lands and waters upon which any
4 Federally recognized Indian tribe has rights re-
5 served by treaty, act of Congress, or action by
6 the President.

7 “(2) The term ‘Indian Tribe’ means any Indian
8 Tribe, band, nation, or other organized group or
9 community, including any Native village, Regional
10 Corporation, or Village Corporation (as defined in
11 section 3 of the Alaska Native Claims Settlement
12 Act (43 U.S.C. 1602)), that is recognized as eligible
13 for the special programs and services provided by
14 the United States to Indians because of their status
15 as Indians.

16 “(3) The term ‘culturally connected location’
17 means a location or place that has demonstrable sig-
18 nificance to Indians or Alaska Natives based on its
19 association with the traditional beliefs, customs, and
20 practices of a living community, including locations
21 or places where religious, ceremonial, subsistence,
22 medicinal, economic, or other lifeways practices have
23 historically taken place.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 160 of such title is amended

1 by inserting after the item relating to section 2711 the
2 following new item:

“2712. Native American lands environmental mitigation program.”.

3 **SEC. 316. ENERGY RESILIENCE AND ENERGY SECURITY**
4 **MEASURES ON MILITARY INSTALLATIONS.**

5 (a) IN GENERAL.—Subchapter I of chapter 173 of
6 title 10, United States Code, is amended by inserting after
7 section 2919 the following new section:

8 **“§ 2920. Energy resilience and energy security meas-**
9 **ures on military installations**

10 “(a) ENERGY RESILIENCE MEASURES.—(1) The
11 Secretary of Defense shall, by the end of fiscal year 2030,
12 provide that 100 percent of the energy load required to
13 maintain the critical missions of each installation have a
14 minimum level of availability of 99.9 percent per fiscal
15 year.

16 “(2) The Secretary of Defense shall issue standards
17 establishing levels of availability relative to specific critical
18 missions, with such standards providing a range of not
19 less than 99.9 percent availability per fiscal year and not
20 more than 99.9999 percent availability per fiscal year, de-
21 pending on the criticality of the mission.

22 “(3) The Secretary may establish interim goals to
23 take effect prior to fiscal year 2025 to ensure the require-
24 ments under this subsection are met.

1 “(4) The Secretary of each military department and
2 the head of each Defense Agency shall ensure that their
3 organizations meet the requirements of this subsection.

4 “(b) PLANNING.—(1) The Secretary of Defense shall
5 require the Secretary of each military department and the
6 head of each Defense Agency to plan for the provision of
7 energy resilience and energy security for installations.

8 “(2) Planning under paragraph (1) shall—

9 “(A) promote the use of multiple and diverse
10 sources of energy, with an emphasis favoring energy
11 resources originating on the installation such as
12 modular generation;

13 “(B) promote installing microgrids to ensure
14 the energy security and energy resilience of critical
15 missions; and

16 “(C) favor the use of full-time, installed energy
17 sources rather than emergency generation.

18 “(c) DEVELOPMENT OF INFORMATION.—The plan-
19 ning required by subsection (b) shall identify each of the
20 following for each installation:

21 “(1) The critical missions of the installation.

22 “(2) The energy requirements of those critical
23 missions.

1 “(3) The duration that those energy require-
2 ments are likely to be needed in the event of a dis-
3 ruption or emergency.

4 “(4) The current source of energy provided to
5 those critical missions.

6 “(5) The duration that the currently provided
7 energy would likely be available in the event of a dis-
8 ruption or emergency.

9 “(6) Any currently available sources of energy
10 that would provide uninterrupted energy to critical
11 missions in the event of a disruption or emergency.

12 “(7) Alternative sources of energy that could be
13 developed to provide uninterrupted energy to critical
14 missions in the event of a disruption or emergency.

15 “(d) TESTING AND MEASURING.—(1)(A) The Sec-
16 retary of Defense shall require the Secretary of each mili-
17 tary department and head of each Defense Agency to con-
18 duct monitoring, measuring, and testing to provide the
19 data necessary to comply with this section.

20 “(B) Any data provided under subparagraph (A)
21 shall be made available to the Assistant Secretary of De-
22 fense for Sustainment upon request.

23 “(2)(A) The Secretary of Defense shall require that
24 black start exercises be conducted to assess the energy re-
25 silience and energy security of installations for periods es-

1 tablished to evaluate the ability of the installation to per-
2 form critical missions without access to off-installation en-
3 ergy resources.

4 “(B) A black start exercise conducted under subpara-
5 graph (A) may exclude, if technically feasible, housing
6 areas, commissaries, exchanges, and morale, welfare, and
7 recreation facilities.

8 “(C) The Secretary of Defense shall—

9 “(i) provide uniform policy for the military de-
10 partments and the Defense Agencies with respect to
11 conducting black start exercises; and

12 “(ii) establish a schedule of black start exer-
13 cises for the military departments and the Defense
14 Agencies, with each military department and De-
15 fense Agency scheduled to conduct such an exercise
16 on a number of installations each year sufficient to
17 allow that military department or Defense Agency to
18 meet the goals of this section, but in any event not
19 fewer than five installations each year for each mili-
20 tary department through fiscal year 2027.

21 “(D)(i) Except as provided in clause (ii), the Sec-
22 retary of each military department shall, notwithstanding
23 any other provision of law, conduct black start exercises
24 in accordance with the schedule provided for in subpara-

1 graph (C)(ii), with any such exercise not to last longer
2 than five days.

3 “(ii) The Secretary of a military department may
4 conduct more black start exercises than those identified
5 in the schedule provided for in subparagraph (C)(ii).

6 “(e) CONTRACT REQUIREMENTS.—For contracts for
7 energy and utility services, the Secretary of Defense
8 shall—

9 “(1) specify methods and processes to measure,
10 manage, and verify compliance with subsection (a);
11 and

12 “(2) ensure that such contracts include require-
13 ments appropriate to ensure energy resilience and
14 energy security, including requirements for metering
15 to measure, manage, and verify energy consumption,
16 availability, and reliability consistent with this sec-
17 tion and the energy resilience metrics and standards
18 under section 2911(b) of this title.

19 “(f) EXCEPTION.—This section does not apply to
20 fuels used in aircraft, vessels, or motor vehicles.

21 “(g) REPORT.—If by the end of fiscal year 2029, the
22 Secretary determines that the Department will be unable
23 to meet the requirements under subsection (a), not later
24 than 90 days after the end of such fiscal year, the Sec-
25 retary shall submit to the Committees on Armed Services

1 of the Senate and House of Representatives a report de-
2 tailing—

3 “(1) the projected shortfall;

4 “(2) reasons for the projected shortfall;

5 “(3) any statutory, technological, or monetary
6 impediments to achieving such requirements;

7 “(4) any impact to readiness or ability to meet
8 the national defense posture; and

9 “(5) any other relevant information as the Sec-
10 retary considers appropriate.

11 “(h) DEFINITIONS.—In this section:

12 “(1) The term ‘availability’ means the avail-
13 ability of required energy at a stated instant of time
14 or over a stated period of time for a specific pur-
15 pose.

16 “(2) The term ‘black start exercise’ means an
17 exercise in which delivery of energy provided from
18 off an installation is terminated before backup gen-
19 eration assets on the installation are turned on.
20 Such an exercise shall—

21 “(A) determine the ability of the backup
22 systems to start independently, transfer the
23 load, and carry the load until energy from off
24 the installation is restored;

1 “(B) align organizations with critical mis-
2 sions to coordinate in meeting critical mission
3 requirements;

4 “(C) validate mission operation plans, such
5 as continuity of operations plans;

6 “(D) identify infrastructure interdepend-
7 encies; and

8 “(E) verify backup electric power system
9 performance.

10 “(3) The term ‘critical mission’—

11 “(A) means those aspects of the missions
12 of an installation, including mission essential
13 operations, that are critical to successful per-
14 formance of the strategic national defense mis-
15 sion;

16 “(B) may include operational headquarters
17 facilities, airfields and supporting infrastruc-
18 ture, harbor facilities supporting naval vessels,
19 munitions production and storage facilities,
20 missile fields, radars, satellite control facilities,
21 cyber operations facilities, space launch facili-
22 ties, operational communications facilities, and
23 biological defense facilities; and

24 “(C) does not include military housing (in-
25 cluding privatized military housing), morale,

1 welfare, and recreation facilities, exchanges,
2 commissaries, or privately owned facilities.

3 “(4) The term ‘energy’ means electricity, nat-
4 ural gas, steam, chilled water, and heated water.

5 “(5) The term ‘installation’ has the meaning
6 given the term ‘military installation’ in section
7 2801(c)(4) of this title.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of subchapter I of chapter 173 of such
10 title is amended by inserting after the item relating to sec-
11 tion 2919 the following new item:

“2920. Energy resilience and energy security measures on military installa-
tions.”.

12 **SEC. 317. MODIFICATION TO AVAILABILITY OF ENERGY**
13 **COST SAVINGS FOR DEPARTMENT OF DE-**
14 **FENSE.**

15 Section 2912(a) of title 10, United States Code, is
16 amended by inserting “and, in the case of operational en-
17 ergy, from both training and operational missions,” after
18 “under section 2913 of this title,”.

19 **SEC. 318. LONG-DURATION DEMONSTRATION INITIATIVE**
20 **AND JOINT PROGRAM.**

21 (a) DEFINITIONS.—In this section:

22 (1) DIRECTOR.—The term “Director” means
23 the Director of the Environmental Security Tech-

1 nology Certification Program of the Department of
2 Defense.

3 (2) DIRECTOR OF ARPA-E.—The term “Direc-
4 tor of ARPA-E” means the Director of the Ad-
5 vanced Research Projects Agency—Energy.

6 (3) INITIATIVE.—The term “Initiative” means
7 the demonstration initiative established under sub-
8 section (b).

9 (4) JOINT PROGRAM.—The term “Joint Pro-
10 gram” means the joint program established under
11 subsection (d).

12 (b) ESTABLISHMENT OF INITIATIVE.—Not later than
13 180 days after the date of enactment of this Act, the Di-
14 rector shall establish a demonstration initiative composed
15 of demonstration projects focused on the development of
16 long-duration energy storage technologies.

17 (c) SELECTION OF PROJECTS.—To the maximum ex-
18 tent practicable, in selecting demonstration projects to
19 participate in the Initiative, the Director shall—

20 (1) ensure a range of technology types;

21 (2) ensure regional diversity among projects;

22 and

23 (3) consider bulk power level, distribution power
24 level, behind-the-meter, microgrid (grid-connected or
25 islanded mode), and off-grid applications.

1 (d) JOINT PROGRAM.—

2 (1) ESTABLISHMENT.—As part of the Initia-
3 tive, the Director, in consultation with the Director
4 of ARPA-E, shall establish within the Department
5 of Defense a joint program to carry out projects—

6 (A) to demonstrate promising long-dura-
7 tion energy storage technologies at different
8 scales to promote energy resiliency; and

9 (B) to help new, innovative long-duration
10 energy storage technologies become commer-
11 cially viable.

12 (2) MEMORANDUM OF UNDERSTANDING.—Not
13 later than 200 days after the date of enactment of
14 this Act, the Director shall enter into a memo-
15 randum of understanding with the Director of
16 ARPA-E to administer the Joint Program.

17 (3) INFRASTRUCTURE.—In carrying out the
18 Joint Program, the Director and the Director of
19 ARPA-E shall—

20 (A) use existing test-bed infrastructure
21 at—

22 (i) installations of the Department of
23 Defense; and

24 (ii) facilities of the Department of En-
25 ergy; and

1 (B) develop new infrastructure for identi-
2 fied projects, if appropriate.

3 (4) GOALS AND METRICS.—The Director and
4 the Director of ARPA–E shall develop goals and
5 metrics for technological progress under the Joint
6 Program consistent with energy resilience and en-
7 ergy security policies.

8 (5) SELECTION OF PROJECTS.—

9 (A) IN GENERAL.—To the maximum ex-
10 tent practicable, in selecting projects to partici-
11 pate in the Joint Program, the Director and the
12 Director of ARPA–E shall—

13 (i) ensure that projects are carried
14 out under conditions that represent a vari-
15 ety of environments with different physical
16 conditions and market constraints; and

17 (ii) ensure an appropriate balance
18 of—

19 (I) larger, higher-cost projects;

20 and

21 (II) smaller, lower-cost projects.

22 (B) PRIORITY.—In carrying out the Joint
23 Program, the Director and the Director of
24 ARPA–E shall give priority to demonstration
25 projects that—

1 (i) make available to the public
2 project information that will accelerate de-
3 ployment of long-duration energy storage
4 technologies that promote energy resil-
5 iency; and

6 (ii) will be carried out in the field.

7 **SEC. 319. PILOT PROGRAM ON ALTERNATIVE FUEL VEHI-**
8 **CLE PURCHASING.**

9 (a) IN GENERAL.—The Secretary of Defense, in co-
10 ordination with the Secretary of Energy and the Adminis-
11 trator of the General Services Administration, shall carry
12 out a pilot program under which the Secretary of Defense
13 may, notwithstanding section 400AA of the Energy Policy
14 and Conservation Act (42 U.S.C. 6374), purchase new al-
15 ternative fuel vehicles for which the initial cost of such
16 vehicles exceeds the initial cost of a comparable gasoline
17 or diesel fueled vehicle by not more than 10 percent.

18 (b) LOCATIONS.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall carry out the pilot program under subsection
21 (a) at not fewer than 2 facilities or installations of
22 the Department of Defense in the continental United
23 States that—

24 (A) have the largest total number of at-
25 tached noncombat vehicles as compared to other

1 facilities or installations of the Department of
2 Defense; and

3 (B) are located within 20 miles of public or
4 private refueling or recharging stations.

5 (2) AIR FORCE LOGISTICS CENTER.—One of the
6 facilities or installations selected under paragraph
7 (1) shall be an Air Force Logistics Center.

8 (c) ALTERNATIVE FUEL VEHICLE DEFINED.—In
9 this section, the term “alternative fuel vehicle” includes
10 a vehicle that uses—

11 (1) fuels derived from renewable biomass, as
12 defined in section 211(o)(1)(I) of the Clean Air Act
13 (42 U.S.C. 7545(o)(1)(I));

14 (2) natural gas (including compressed and liq-
15 uefied natural gas); or

16 (3) propane.

17 **SEC. 320. EXTENSION OF REAL-TIME SOUND MONITORING**
18 **AT NAVY INSTALLATIONS WHERE TACTICAL**
19 **FIGHTER AIRCRAFT OPERATE.**

20 Section 325(a)(1) of the National Defense Authoriza-
21 tion Act for Fiscal Year 2020 (Public Law 116–92) is
22 amended by striking “a 12-month period” and inserting
23 “two 12-month periods, including one such period that be-
24 gins in fiscal year 2021”.

1 **SEC. 321. STUDY ON IMPACTS OF TRANSBOUNDARY FLOWS,**
2 **SPILLS, OR DISCHARGES OF POLLUTION OR**
3 **DEBRIS FROM THE TIJUANA RIVER ON PER-**
4 **SONNEL, ACTIVITIES, AND INSTALLATIONS**
5 **OF DEPARTMENT OF DEFENSE.**

6 (a) STUDY.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of the enactment of this Act, the Secretary
9 of Defense, in coordination with the Administrator
10 of the Environmental Protection Agency, the Sec-
11 retary of State, and the United States Commissioner
12 of the International Boundary and Water Commis-
13 sion, shall commission an independent scientific
14 study of the impacts of transboundary flows, spills,
15 or discharges of pollution or debris from the Tijuana
16 River on the personnel, activities, and installations
17 of the Department of Defense.

18 (2) ELEMENTS.—The study required by para-
19 graph (1) shall address the short-term, long-term,
20 primary, and secondary impacts of transboundary
21 flows, spills, or discharges of pollution or debris
22 from the Tijuana River and include recommenda-
23 tions to mitigate such impacts.

24 (b) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Secretary of Defense
26 shall submit to the appropriate committees of Congress

1 a report containing the results of the study under sub-
 2 section (a), including all findings and recommendations re-
 3 sulting from the study.

4 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
 5 FINED.—In this section, the term “appropriate commit-
 6 tees of Congress” means—

7 (1) the Committee on Armed Services, the
 8 Committee on Environment and Public Works, and
 9 the Committee on Foreign Relations of the Senate;
 10 and

11 (2) the Committee on Armed Services, the
 12 Committee on Transportation and Infrastructure,
 13 and the Committee on Foreign Affairs of the House
 14 of Representatives.

15 **SEC. 322. INCREASE IN FUNDING FOR STUDY BY CENTERS**
 16 **FOR DISEASE CONTROL AND PREVENTION**
 17 **RELATING TO PERFLUOROALKYL AND**
 18 **POLYFLUOROALKYL SUBSTANCE CONTAMI-**
 19 **NATION IN DRINKING WATER.**

20 (a) IN GENERAL.—

21 (1) INCREASE.—The amount authorized to be
 22 appropriated by this Act for fiscal year 2021 for Op-
 23 eration and Maintenance, Defense Wide for SAG
 24 4GTN for the study by the Centers for Disease Con-
 25 trol and Prevention under section 316(a)(2)(B)(ii) of

1 the National Defense Authorization Act for Fiscal
2 Year 2018 (Public Law 115–91; 131 Stat. 1350) is
3 hereby increased by \$5,000,000.

4 (2) OFFSET.—The amount authorized to be ap-
5 propriated by this Act for fiscal year 2021 for Oper-
6 ation and Maintenance, Army for SAG 421,
7 Servicewide Transportation is hereby reduced by
8 \$5,000,000.

9 (b) INCREASE IN TRANSFER AUTHORITY.—Section
10 316(a)(2)(B)(ii) of the National Defense Authorization
11 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
12 1350), as amended by section 315(a) of the John S.
13 McCain National Defense Authorization Act for Fiscal
14 Year 2019 (Public Law 115–232; 132 Stat. 1713), is
15 amended by striking “\$10,000,000” and inserting
16 “\$15,000,000”.

1 **Subtitle C—Logistics and**
2 **Sustainment**

3 **SEC. 331. REPEAL OF STATUTORY REQUIREMENT FOR NO-**
4 **TIFICATION TO DIRECTOR OF DEFENSE LO-**
5 **GISTICS AGENCY THREE YEARS PRIOR TO IM-**
6 **PLEMENTING CHANGES TO ANY UNIFORM OR**
7 **UNIFORM COMPONENT.**

8 Section 356 of the John S. McCain National Defense
9 Authorization Act for Fiscal Year 2019 (Public Law 115–
10 232; 10 U.S.C. 771 note prec.) is amended—

11 (1) by striking subsection (a);

12 (2) by redesignating subsections (b) and (c) as
13 subsections (a) and (b), respectively; and

14 (3) in subsections (a) and (b), as so redesign-
15 nated, by striking “Commander” each place it ap-
16 pears and inserting “Director”.

17 **SEC. 332. CLARIFICATION OF LIMITATION ON LENGTH OF**
18 **OVERSEAS FORWARD DEPLOYMENT OF CUR-**
19 **RENTLY DEPLOYED NAVAL VESSELS.**

20 Section 323(b) of the John S. McCain National De-
21 fense Authorization Act for Fiscal Year 2019 (Public Law
22 115–232; 132 Stat. 1720; 10 U.S.C. 8690 note) is amend-
23 ed by striking “In the case of any naval vessel” and insert-
24 ing “In the case of any aircraft carrier, amphibious ship,
25 cruiser, destroyer, frigate, or littoral combat ship”.

1 (c) CONSULTATION.—In preparing the report under
2 subsection (a), the Secretary may consult with other Fed-
3 eral agencies, agencies of State and local governments,
4 and academic institutions with expertise or experience in
5 the effects of permafrost thaw on infrastructure, facilities,
6 and operations.

7 (d) ASSET DEFINED.—In this section, the term
8 “asset” means the following:

9 (1) Any aircraft, weapon system, vehicle, equip-
10 ment, or gear of the Department of Defense or the
11 Armed Forces.

12 (2) Any other item of the Department or the
13 Armed Forces that the Secretary considers appro-
14 priate for purposes of this section.

15 **SEC. 352. PLANS AND REPORTS ON EMERGENCY RESPONSE**
16 **TRAINING FOR MILITARY INSTALLATIONS.**

17 (a) PLANS.—

18 (1) IN GENERAL.—Not later than 90 days after
19 the date of the enactment of this Act, the Secretary
20 of Defense shall ensure that each military installa-
21 tion under the jurisdiction of the Secretary that does
22 not conduct live emergency response training on an
23 annual basis or more frequently with the civilian law
24 enforcement and emergency response agencies re-

1 responsible for responding to an emergency at the in-
2 stallation develops a plan to conduct such training.

3 (2) ELEMENTS.—Each plan developed under
4 paragraph (1) with respect to an installation—

5 (A) shall include—

6 (i) the cost of implementing training
7 described in paragraph (1) at the installa-
8 tion;

9 (ii) a description of any obstacles to
10 the implementation of such training; and

11 (iii) recommendations for mitigating
12 any such obstacles; and

13 (B) shall be designed to ensure that the ci-
14 vilian law enforcement and emergency response
15 agencies described in paragraph (1) are familiar
16 with—

17 (i) the physical features of the instal-
18 lation, including gates, buildings, armories,
19 headquarters, command and control cen-
20 ters, and medical facilities; and

21 (ii) the emergency response personnel
22 and procedures of the installation.

23 (3) SUBMITTAL OF PLANS.—

24 (A) SUBMITTAL TO SECRETARY.—Not
25 later than 90 days after the date of the enact-

1 ment of this Act, the commander of each mili-
2 tary installation required to develop a plan
3 under paragraph (1) shall submit such plan to
4 the Secretary of Defense.

5 (B) SUBMITTAL TO CONGRESS.—Not later
6 than 180 days after the date of the enactment
7 of this Act, the Secretary shall submit to the
8 Committees on Armed Services of the Senate
9 and the House of Representatives a summary of
10 the plans submitted to the Secretary under sub-
11 paragraph (A).

12 (b) REPORTS ON TRAINING CONDUCTED.—

13 (1) LIST OF INSTALLATIONS.—Not later than
14 March 1, 2021, the Secretary shall submit to the
15 Committees on Armed Services of the Senate and
16 the House of Representatives a list of all military in-
17 stallations under the jurisdiction of the Secretary
18 that conduct live emergency response training on an
19 annual basis or more frequently with the civilian law
20 enforcement and emergency response agencies re-
21 sponsible for responding to an emergency at the in-
22 stallation.

23 (2) ANNUAL REPORTS.—

24 (A) IN GENERAL.—Not later than one year
25 after the date of the enactment of this Act, and

1 annually thereafter, the commander of each
2 military installation under the jurisdiction of
3 the Secretary shall submit to the Secretary a
4 report on each live emergency response training
5 conducted during the year covered by the report
6 with the civilian law enforcement and emer-
7 gency response agencies responsible for re-
8 sponding to an emergency at the installation.

9 (B) ELEMENTS.—Each report submitted
10 under subparagraph (A) shall include, with re-
11 spect to each training exercise, the following:

12 (i) The date and duration of the exer-
13 cise.

14 (ii) A detailed description of the exer-
15 cise.

16 (iii) An identification of all military
17 and civilian personnel who participated in
18 the exercise.

19 (iv) Any recommendations resulting
20 from the exercise.

21 (v) The actions taken, if any, to im-
22 plement such recommendations.

23 (C) INCLUSION IN ANNUAL BUDGET SUB-
24 MISSION.—

1 (i) IN GENERAL.—The Secretary shall
2 include in the budget submitted to Con-
3 gress by the President pursuant to section
4 1105(a) of title 31, United States Code, a
5 summary of any report submitted to the
6 Secretary under subparagraph (A) during
7 the one-year period preceding the sub-
8 mittal of the budget.

9 (ii) CLASSIFIED FORM.—The sum-
10 mary submitted under clause (i) may be
11 submitted in classified form.

12 (D) SUNSET.—The requirement to submit
13 annual reports under subparagraph (A) shall
14 terminate upon the submittal of the budget de-
15 scribed in subparagraph (C)(i) for fiscal year
16 2024.

17 **SEC. 353. REPORT ON IMPLEMENTATION BY DEPARTMENT**
18 **OF DEFENSE OF REQUIREMENTS RELATING**
19 **TO RENEWABLE FUEL PUMPS.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall submit to Congress a report on the implementation
23 by the Department of Defense of the requirements under
24 section 246(a) of the Energy Independence and Security
25 Act of 2007 (42 U.S.C. 17053(a)).

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

3 (1) An estimate of the cost to the Department
4 of fully implementing the requirements under section
5 246(a) of the Energy Independence and Security Act
6 of 2007; and

7 (2) An assessment of any problems or issues
8 the Department is having in complying with the re-
9 quirements under such section.

10 (c) EXCEPTION.—The report required by subsection
11 (a) shall not apply to a fueling center of the Department
12 with a fuel turnover rate of less than 100,000 gallons of
13 fuel per year.

14 **SEC. 354. REPORT ON EFFECTS OF EXTREME WEATHER ON**
15 **DEPARTMENT OF DEFENSE.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of Defense
18 shall submit to the congressional defense committees a re-
19 port on vulnerabilities to military installations and com-
20 batant commander requirements resulting from extreme
21 weather that builds upon the report submitted under sec-
22 tion 335(c) of the National Defense Authorization Act for
23 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1358).

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

1 (1) An explanation of the underlying method-
2 ology that the Department uses to assess the effects
3 of extreme weather in the report, including through
4 the use of a climate vulnerability and risk assess-
5 ment tool as directed under section 326 of the Na-
6 tional Defense Authorization Act for Fiscal Year
7 2020 (Public Law 116–92).

8 (2) An assessment of how extreme weather af-
9 fects low-lying military installations, military instal-
10 lations of the Navy and the Marine Corps, and mili-
11 tary installations outside the United States.

12 (3) An assessment of how extreme weather af-
13 fects access of members of the Armed Forces to
14 training ranges.

15 (4) With respect to a military installation in a
16 country outside the United States, an assessment of
17 the collaboration between the Department of De-
18 fense and the military or civilian agencies of the gov-
19 ernment of that country or nongovernmental organi-
20 zations operating in that country to adapt to risks
21 from extreme weather.

22 (5) An assessment of how extreme weather af-
23 fects housing safety and food security on military in-
24 stallations.

1 (6) An assessment of the strategic benefits de-
2 rived from isolating infrastructure of the Depart-
3 ment of Defense in the United States from the na-
4 tional electric grid and the use of energy-efficient,
5 distributed, and smart power grids by the Armed
6 Forces in the United States and overseas to ensure
7 affordable access to electricity.

8 (7) A list of ten military installation resilience
9 projects conducted within each military department.

10 (8) An overview of mitigations, in addition to
11 current efforts undertaken by the Department, that
12 may be necessary to ensure the continued oper-
13 ational viability and to increase the resilience of mili-
14 tary installations, and the estimated costs of those
15 mitigations.

16 (c) CONSULTATION.—In developing the report re-
17 quired by subsection (a), the Secretary of Defense shall
18 consult with the Administrator of the Environmental Pro-
19 tection Agency, the Secretary of Energy, the Adminis-
20 trator of the National Oceanic and Atmospheric Adminis-
21 tration, the Administrator of the Federal Emergency Man-
22 agement Agency, the Commander of the Army Corps of
23 Engineers, the Administrator of the National Aeronautics
24 and Space Administration, a federally funded research and
25 development center, and the heads of such other relevant

1 Federal agencies as the Secretary of Defense determines
2 appropriate.

3 (d) FORM OF REPORT.—The report required by sub-
4 section (a) shall be submitted in unclassified form but may
5 contain a classified annex if necessary.

6 (e) PUBLICATION.—Upon submittal of the report re-
7 quired by subsection (a), the Secretary of Defense shall
8 publish the unclassified portion of the report on an Inter-
9 net website of the Department of Defense that is available
10 to the public.

11 (f) DEFINITIONS.—In this section:

12 (1) EXTREME WEATHER.—The term “extreme
13 weather” means recurrent flooding, drought,
14 desertification, wildfires, and thawing permafrost.

15 (2) UNITED STATES.—The term “United
16 States” means the several States, the District of Co-
17 lumbia, and any territory or possession of the
18 United States.

19 **Subtitle E—Other Matters**

20 **SEC. 371. PROHIBITION ON DIVESTITURE OF MANNED IN-** 21 **TELLIGENCE, SURVEILLANCE, AND RECON-** 22 **NAISSANCE AIRCRAFT OPERATED BY UNITED** 23 **STATES SPECIAL OPERATIONS COMMAND.**

24 No funds authorized to be appropriated by this Act
25 may be used to divest any manned intelligence, surveil-

1 lance, and reconnaissance aircraft operated by the United
2 States Special Operations Command, and the Department
3 of Defense may not divest any manned intelligence, sur-
4 veillance, and reconnaissance aircraft operated by the
5 United States Special Operations Command in fiscal year
6 2021.

7 **SEC. 372. INFORMATION ON OVERSEAS CONSTRUCTION**
8 **PROJECTS IN SUPPORT OF CONTINGENCY**
9 **OPERATIONS USING FUNDS FOR OPERATION**
10 **AND MAINTENANCE.**

11 (a) ANNUAL BUDGET JUSTIFICATION DISPLAY.—
12 Section 2805(e) of title 10, United States Code, is amend-
13 ed—

14 (1) by striking “The Secretary concerned” and
15 inserting “(1) The Secretary concerned”; and

16 (2) by adding at the end the following new
17 paragraphs:

18 “(2) The Secretary of each military department, the
19 Director of each Defense Agency, and the head of any
20 other relevant component of the Department of Defense
21 shall track and report to the Under Secretary of Defense
22 (Comptroller) relevant data regarding all overseas con-
23 struction projects funded with amounts appropriated or
24 otherwise made available for operation and maintenance
25 in support of contingency operations.

1 “(3)(A) The Secretary of Defense shall prepare, for
2 inclusion in the annual budget submission by the Presi-
3 dent to Congress under section 1105 of title 31, a consoli-
4 dated budget justification display, in classified and unclas-
5 sified form, that identifies all overseas construction
6 projects funded with amounts appropriated or otherwise
7 made available for operation and maintenance in support
8 of contingency operations.

9 “(B) The display prepared under subparagraph (A)
10 shall include a list of all construction projects described
11 in such subparagraph that were completed in the prior fis-
12 cal year, that are ongoing, or that are expected for the
13 next five fiscal years, and shall identify for each project—

14 “(i) the component of the Department of De-
15 fense involved in the project;

16 “(ii) the location of the project;

17 “(iii) a brief description of the purpose of the
18 project; and

19 “(iv) the actual or estimated cost of the
20 project.”.

21 (b) REPORT ON CONSTRUCTION PROJECTS IN SUP-
22 PORT OF CONTINGENCY OPERATIONS.—

23 (1) IN GENERAL.—Not later than March 1,
24 2021, the Secretary of Defense shall submit to the
25 congressional defense committees a report on ways

1 to improve the development, funding, and execution
2 of construction projects in support of overseas con-
3 tingency operations, including those funded with
4 amounts appropriated or otherwise made available
5 for operation and maintenance and those funded
6 with amounts appropriated or otherwise made avail-
7 able for military construction.

8 (2) ELEMENTS.—The report required by para-
9 graph (1) shall include, at a minimum, the following:

10 (A) An examination and comparison of the
11 time required to plan, approve, and execute con-
12 struction projects funded with operation and
13 maintenance amounts versus those funded with
14 military construction amounts, in support of
15 contingency operations, including construction
16 projects in support of recent operations in Af-
17 ghanistan, Iraq, Syria, and Eastern Europe.

18 (B) A description of any challenges associ-
19 ated with the processes of the Department of
20 Defense for planning, approving, and executing
21 such projects.

22 (C) A description of any ongoing or
23 planned efforts to improve such processes to
24 promote efficiency and expediency in the devel-
25 opment and execution of such projects.

1 (D) Any recommendations with respect to
 2 improving such processes, including those from
 3 the commanders of the combatant commands
 4 and the Secretaries of the military departments.

5 **SEC. 373. PROVISION OF PROTECTION TO THE NATIONAL**
 6 **MUSEUM OF THE MARINE CORPS, THE NA-**
 7 **TIONAL MUSEUM OF THE UNITED STATES**
 8 **ARMY, THE NATIONAL MUSEUM OF THE**
 9 **UNITED STATES NAVY, AND THE NATIONAL**
 10 **MUSEUM OF THE UNITED STATES AIR FORCE.**

11 Section 2465(b) of title 10, United States Code, is
 12 amended by adding at the end the following new para-
 13 graph:

14 “(5) A contract for the performance of on-site
 15 armed security guard functions to be performed—

16 “(A) at the Marine Corps Heritage Center
 17 at Marine Corps Base Quantico, Virginia, in-
 18 cluding the National Museum of the Marine
 19 Corps;

20 “(B) at the Heritage Center for the Na-
 21 tional Museum of the United States Army at
 22 Fort Belvoir, Virginia;

23 “(C) at the Heritage Center for the Na-
 24 tional Museum of the United States Navy at
 25 Washington, District of Columbia; or

1 “(D) at the Heritage Center for the Na-
2 tional Museum of the United States Air Force
3 at Wright-Patterson Air Force Base, Ohio.”.

4 **SEC. 374. INAPPLICABILITY OF CONGRESSIONAL NOTIFICA-**
5 **TION AND DOLLAR LIMITATION REQUIRE-**
6 **MENTS FOR ADVANCE BILLINGS FOR CER-**
7 **TAIN BACKGROUND INVESTIGATIONS.**

8 Section 2208(l) of title 10, United States Code, is
9 amended—

10 (1) by redesignating paragraph (4) as para-
11 graph (5); and

12 (2) by inserting after paragraph (3) the fol-
13 lowing new paragraph (4):

14 “(4) This subsection shall not apply to advance bill-
15 ing for background investigation and related services per-
16 formed by the Defense Counterintelligence and Security
17 Agency.”.

18 **SEC. 375. REPEAL OF SUNSET FOR MINIMUM ANNUAL PUR-**
19 **CHASE AMOUNT FOR CARRIERS PARTICI-**
20 **PATING IN THE CIVIL RESERVE AIR FLEET.**

21 Section 9515 of title 10, United States Code, is
22 amended by striking subsection (k).

1 **SEC. 376. IMPROVEMENT OF THE OPERATIONAL ENERGY**
2 **CAPABILITY IMPROVEMENT FUND OF THE**
3 **DEPARTMENT OF DEFENSE.**

4 (a) MANAGEMENT OF THE OPERATIONAL ENERGY
5 CAPABILITY IMPROVEMENT FUND.—The Assistant Sec-
6 retary of Defense for Sustainment shall exercise authority,
7 direction, and control over the Operational Energy Capa-
8 bility Improvement Fund of the Department of Defense
9 (in this section referred to as the “OECIF”).

10 (b) ALIGNMENT AND COORDINATION WITH RELATED
11 PROGRAMS.—

12 (1) REALIGNMENT OF OECIF.—Not later than
13 60 days after the date of the enactment of this Act,
14 the Secretary of Defense shall realign the OECIF
15 under the Assistant Secretary of Defense for
16 Sustainment, with such realignment to include per-
17 sonnel positions adequate for the mission of the
18 OECIF.

19 (2) BETTER COORDINATION WITH RELATED
20 PROGRAMS.—The Assistant Secretary shall ensure
21 that the placement under the authority of the Assist-
22 ant Secretary of the OECIF along with the Strategic
23 Environmental Research Program, the Environ-
24 mental Security Technology Certification Program,
25 and the Operational Energy Prototyping Program is
26 utilized to advance common goals of the Depart-

1 ment, promote organizational synergies, and avoid
2 unnecessary duplication of effort.

3 (c) PROGRAM FOR OPERATIONAL ENERGY PROTO-
4 TYPING.—

5 (1) IN GENERAL.—Commencing not later than
6 90 days after the date of the enactment of this Act,
7 the Secretary of Defense, through the Assistant Sec-
8 retary of Defense for Sustainment, shall carry out a
9 program for the demonstration of technologies re-
10 lated to operational energy prototyping, including
11 demonstration of operational energy technology and
12 validation prototyping.

13 (2) OPERATION OF PROGRAM.—The Secretary
14 shall ensure that the program under paragraph (1)
15 operates in conjunction with the OECIF to promote
16 the transfer of innovative technologies that have suc-
17 cessfully established proof of concept for use in pro-
18 duction or in the field.

19 (3) PROGRAM ELEMENTS.—In carrying out the
20 program under paragraph (1) the Secretary shall—

21 (A) identify and demonstrate the most
22 promising, innovative, and cost-effective tech-
23 nologies and methods that address high-priority
24 operational energy requirements of the Depart-
25 ment of Defense;

1 (B) in conducting demonstrations under
2 subparagraph (A), the Secretary shall—

3 (i) collect cost and performance data
4 to overcome barriers against employing an
5 innovative technology because of concerns
6 regarding technical or programmatic risk;
7 and

8 (ii) ensure that components of the De-
9 partment have time to establish new re-
10 quirements where necessary and plan, pro-
11 gram, and budget for technology transition
12 to programs of record;

13 (C) utilize project structures similar to
14 those of the OECIF[†] to ensure transparency and
15 accountability throughout the efforts conducted
16 under the program; and

17 (D) give priority, in conjunction with the
18 OECIF[†], to the development and fielding of
19 clean technologies that reduce reliance on fossil
20 fuels.

21 (4) TOOL FOR ACCOUNTABILITY AND TRANSI-
22 TION.—

23 (A) IN GENERAL.—In carrying out the
24 program under paragraph (1) the Secretary
25 shall develop and utilize a tool to track relevant

1 investments in operational energy from applied
2 research to transition to use to ensure user or-
3 ganizations have the full picture of technology
4 maturation and development.

5 (B) TRANSITION.—The tool developed and
6 utilized under subparagraph (A) shall be de-
7 signed to overcome transition challenges with
8 rigorous and well-documented demonstrations
9 that provide the information needed by all
10 stakeholders for acceptance of the technology.

11 (5) LOCATIONS.—

12 (A) IN GENERAL.—The Secretary shall
13 carry out the testing and evaluation phase of
14 the program under paragraph (1) at installa-
15 tions of the Department of Defense or in con-
16 junction with exercises conducted by the Joint
17 Staff, a combatant command, or a military de-
18 partment.

19 (B) FORMAL DEMONSTRATIONS.—The Sec-
20 retary shall carry out any formal demonstra-
21 tions under the program under paragraph (1)
22 at installations of the Department or in oper-
23 ational settings to document and validate im-
24 proved warfighting performance and cost sav-
25 ings.

1 **SEC. 377. COMMISSION ON THE NAMING OF ITEMS OF THE**
2 **DEPARTMENT OF DEFENSE THAT COMMEMO-**
3 **RATE THE CONFEDERATE STATES OF AMER-**
4 **ICA OR ANY PERSON WHO SERVED VOLUN-**
5 **TARILY WITH THE CONFEDERATE STATES OF**
6 **AMERICA.**

7 (a) REMOVAL.—Not later than three years after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall implement the plan submitted by the commission de-
10 scribed in paragraph (b) and remove all names, symbols,
11 displays, monuments, and paraphernalia that honor or
12 commemorate the Confederate States of America (com-
13 monly referred to as the “Confederacy”) or any person
14 who served voluntarily with the Confederate States of
15 America from all assets of the Department of Defense.

16 (b) IN GENERAL.—The Secretary of Defense shall es-
17 tablish a commission relating to assigning, modifying, or
18 removing of names, symbols, displays, monuments, and
19 paraphernalia to assets of the Department of Defense that
20 commemorate the Confederate States of America or any
21 person who served voluntarily with the Confederate States
22 of America.

23 (c) DUTIES.—The Commission shall—

24 (1) assess the cost of renaming or removing
25 names, symbols, displays, monuments, or para-
26 phernalia that commemorate the Confederate States

1 of America or any person who served voluntarily
2 with the Confederate States of America;

3 (2) develop procedures and criteria to assess
4 whether an existing name, symbol, monument, dis-
5 play, or paraphernalia commemorates the Confed-
6 erate States of America or person who served volun-
7 tarily with the Confederate States of America;

8 (3) recommend procedures for renaming assets
9 of the Department of Defense to prevent commemo-
10 ration of the Confederate States of America or any
11 person who served voluntarily with the Confederate
12 States of America;

13 (4) develop a plan to remove names, symbols,
14 displays, monuments, or paraphernalia that com-
15 memorate the Confederate States of America or any
16 person who served voluntarily with the Confederate
17 States of America from assets of the Department of
18 Defense, within the timeline established by this Act;
19 and

20 (5) include in the plan procedures and criteria
21 for collecting and incorporating local sensitivities as-
22 sociated with naming or renaming of assets of the
23 Department of Defense.

24 (d) MEMBERSHIP.—The Commission shall be com-
25 posed of eight members, of whom—

1 (1) four shall be appointed by the Secretary of
2 Defense;

3 (2) one shall be appointed by the Chairman of
4 the Committee on Armed Services of the Senate;

5 (3) one shall be appointed by the Ranking
6 Member of the Committee on Armed Services of the
7 Senate;

8 (4) one shall be appointed by the Chairman of
9 the Committee on Armed Services of the House of
10 Representatives; and

11 (5) one shall be appointed by the Ranking
12 Member of the Committee on Armed Services of the
13 House of Representatives.

14 (e) APPOINTMENT.—Members of the Commission
15 shall be appointed not later than 45 days after the date
16 of the enactment of this Act.

17 (f) INITIAL MEETING.—The Commission shall hold
18 its initial meeting on the date that is 60 days after the
19 enactment of this Act.

20 (g) BRIEFINGS AND REPORTS.—Not later than Octo-
21 ber 1, 2021, the Commission shall brief the Committees
22 on Armed Services of the Senate and House of Represent-
23 atives detailing the progress of the requirements under
24 subsection (c). Not later than October 1, 2022, and not
25 later than 90 days before the implementation of the plan

1 in subsection (c)(4), the Commission shall present a brief-
 2 ing and written report detailing the results of the require-
 3 ments under subsection (c), including:

4 (1) A list of assets to be removed or renamed.

5 (2) Costs associated with the removal or renam-
 6 ing of assets in subsection (g)(1).

7 (3) Criteria and requirements used to nominate
 8 and rename assets in subsection (g)(1).

9 (4) Methods of collecting and incorporating
 10 local sensitivities associated with the removal or re-
 11 naming of assets in subsection (g)(1).

12 (h) FUNDING.—

13 (1) AUTHORIZATION OF APPROPRIATIONS.—
 14 There is authorized to be appropriated \$2,000,000
 15 to carry out this section.

16 (2) OFFSET.—The amount authorized to be ap-
 17 propriated by the Act for fiscal year 2021 for Oper-
 18 ations and Maintenance, Army, sub activity group
 19 434 - other personnel support is hereby reduced by
 20 \$2,000,000.

21 (i) ASSETS DEFINED.—In this section, the term “as-
 22 sets” includes any base, installation, street, building, facil-
 23 ity, aircraft, ship, plane, weapon, equipment, or any other
 24 property owned or controlled by the Department of De-
 25 fense.

1 (j) EXEMPTION FOR GRAVE MARKERS.—Shall not
2 cover monuments but shall exempt grave markers. Con-
3 gress expects the commission to further define what con-
4 stitutes a grave marker.

5 **SEC. 378. MODIFICATIONS TO REVIEW OF PROPOSED AC-**
6 **TIONS BY MILITARY AVIATION AND INSTAL-**
7 **LATION ASSURANCE CLEARINGHOUSE.**

8 Section 183a(c)(2) of title 10, United States Code,
9 is amended—

10 (1) by striking “If the Clearinghouse” and in-
11 sserting “(A) If the Clearinghouse”; and

12 (2) by adding at the end the following new sub-
13 paragraphs:

14 “(B) After the Clearinghouse issues a notice
15 under subparagraph (A) with respect to an energy
16 project, the parties should seek to identify feasible
17 and affordable actions that can be taken by the De-
18 partment, the developer of such energy project, or
19 others to mitigate any adverse impact on military
20 operations and readiness.

21 “(C) If the Secretary determines within a rea-
22 sonable period of time after the issuance of a notice
23 under subparagraph (A) with respect to an energy
24 project that the concerns identified in the prelimi-
25 nary review conducted under paragraph (1) with re-

1 spect to such project have been mitigated to the ex-
2 tent that such project does not pose an unacceptable
3 level of risk to military operations and readiness, the
4 Clearinghouse shall timely issue a mission compat-
5 ibility letter to the applicant of such project, the gov-
6 ernor of the State in which such project is located,
7 and the Secretary of the finding of the Clearing-
8 house.”.

9 **SEC. 379. ADJUSTMENT IN AVAILABILITY OF APPROPRIA-**
10 **TIONS FOR UNUSUAL COST OVERRUNS AND**
11 **FOR CHANGES IN SCOPE OF WORK.**

12 Section 8683 of title 10, United States Code, is
13 amended by adding at the end the following new sub-
14 section:

15 “(c) TREATMENT OF AMOUNTS APPROPRIATED
16 AFTER END OF PERIOD OF OBLIGATION.—In the applica-
17 tion of section 1553(c) of title 31 to funds appropriated
18 in the Operation and Maintenance, Navy account that are
19 available for ship overhaul, the Secretary of the Navy—

20 “(1) may treat the limitation specified in para-
21 graph (1) of such section to be ‘\$10,000,000’ rather
22 than ‘\$4,000,000’; and

23 “(2) may treat the limitation specified in para-
24 graph (2) of such section to be ‘\$30,000,000’ rather
25 than ‘\$25,000,000’.”.

1 **SEC. 380. REQUIREMENT THAT SECRETARY OF DEFENSE**
2 **IMPLEMENT SECURITY AND EMERGENCY RE-**
3 **SPONSE RECOMMENDATIONS RELATING TO**
4 **ACTIVE SHOOTER OR TERRORIST ATTACKS**
5 **ON INSTALLATIONS OF DEPARTMENT OF DE-**
6 **FENSE.**

7 (a) REQUIREMENT.—Not later than 90 days after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall implement the applicable security and emergency re-
10 sponse recommendations relating to active shooter or ter-
11 rorist attacks on installations of the Department of De-
12 fense made in the following reports:

13 (1) The report by the Government Account-
14 ability Office dated July 2015 entitled, “Insider
15 Threats: DOD Should Improve Information Sharing
16 and Oversight to Protect U.S. Installations” (GAO-
17 15-543).

18 (2) The report prepared by the Department of
19 the Navy relating to the Washington Navy Yard
20 shooting in 2013.

21 (3) The report by the Department of the Army
22 dated August 2010 entitled “Fort Hood, Army In-
23 ternal Review Team: Final Report”.

24 (4) The independent review by the Department
25 of Defense dated January 2010 entitled “Protecting
26 the Force: Lessons from Fort Hood”.

1 (5) The report by the Department of the Air
2 Force dated October 2010 entitled “Air Force Fol-
3 low-On Review: Protecting the Force: Lessons from
4 Fort Hood”.

5 (b) NOTIFICATION OF INAPPLICABLE RECOMMENDA-
6 TIONS.—

7 (1) IN GENERAL.—If the Secretary determines
8 that a recommendation described in subsection (a) is
9 outdated, is no longer applicable, or has been super-
10 seded by more recent separate guidance or rec-
11 ommendations set forth by the Government Account-
12 ability Office, the Department of Defense, or an-
13 other entity in related contracted review, the Sec-
14 retary shall notify the Committees on Armed Serv-
15 ices of the Senate and the House of Representatives
16 not later than 45 days after the date of the enact-
17 ment of this Act.

18 (2) IDENTIFICATION AND JUSTIFICATION.—The
19 notification under paragraph (1) shall include an
20 identification, set forth by report specified in sub-
21 section (a), of each recommendation that the Sec-
22 retary determines should not be implemented, with
23 a justification for each such determination.

1 **SEC. 381. CLARIFICATION OF FOOD INGREDIENT REQUIRE-**
2 **MENTS FOR FOOD OR BEVERAGES PROVIDED**
3 **BY THE DEPARTMENT OF DEFENSE.**

4 (a) **IN GENERAL.**—Before making any final rule,
5 statement, or determination regarding the limitation or
6 prohibition of any food or beverage ingredient in military
7 food service, military medical foods, commissary food, or
8 commissary food service, the Secretary of Defense shall
9 publish in the Federal Register a notice of a preliminary
10 rule, statement, or determination (in this section referred
11 to as a “proposed action”) and provide opportunity for
12 public comment.

13 (b) **MATTERS TO BE INCLUDED.**—The Secretary
14 shall include in any notice published under subsection (a)
15 the following:

16 (1) The date of the notice.

17 (2) Contact information for the appropriate of-
18 fice at the Department of Defense.

19 (3) A summary of the notice.

20 (4) A date for comments to be submitted and
21 specific methods for submitting comments.

22 (5) A description of the substance of the pro-
23 posed action.

24 (6) Findings and a statement of reasons sup-
25 porting the proposed action.

1 **TITLE IV—MILITARY**
2 **PERSONNEL AUTHORIZATIONS**
3 **Subtitle A—Active Forces**

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

5 The Armed Forces are authorized strengths for active
6 duty personnel as of September 30, 2021, as follows:

- 7 (1) The Army, 485,000.
8 (2) The Navy, 346,730.
9 (3) The Marine Corps, 180,000.
10 (4) The Air Force, 333,475.

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

12 (a) **STRENGTH LEVELS TO SUPPORT TWO MAJOR**
13 **REGIONAL CONTINGENCIES.—**

14 (1) **IN GENERAL.—**Section 691 of title 10,
15 United States Code, is repealed.

16 (2) **TABLE OF SECTIONS.—**The table of sections
17 at the beginning of chapter 39 of such title is
18 amended by striking the item relating to section
19 691.

20 (b) **CERTAIN ACTIVE-DUTY AND SELECTED RESERVE**
21 **STRENGTHS.—**Section 115 of such title is amended—

22 (1) in subsection (f)(1), by striking “increase”
23 and inserting “vary”; and

24 (2) in subsection (g)(1)(A), by striking “in-
25 crease” and inserting “vary”.

1 **Subtitle B—Reserve Forces**

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

3 (a) IN GENERAL.—The Armed Forces are authorized
4 strengths for Selected Reserve personnel of the reserve
5 components as of September 30, 2021, as follows:

6 (1) The Army National Guard of the United
7 States, 336,500.

8 (2) The Army Reserve, 189,800.

9 (3) The Navy Reserve, 58,800.

10 (4) The Marine Corps Reserve, 38,500.

11 (5) The Air National Guard of the United
12 States, 108,100.

13 (6) The Air Force Reserve, 70,300.

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

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

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

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

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

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

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

14 Within the end strengths prescribed in section
15 411(a), the reserve components of the Armed Forces are
16 authorized, as of September 30, 2021, the following num-
17 ber of Reserves to be serving on full-time active duty or
18 full-time duty, in the case of members of the National
19 Guard, for the purpose of organizing, administering, re-
20 cruiting, instructing, or training the reserve components:

21 (1) The Army National Guard of the United
22 States, 30,595.

23 (2) The Army Reserve, 16,511.

24 (3) The Navy Reserve, 10,215.

25 (4) The Marine Corps Reserve, 2,386.

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

3 (6) The Air Force Reserve, 5,256.

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

6 (a) IN GENERAL.—The authorized number of mili-
7 tary technicians (dual status) as of the last day of fiscal
8 year 2021 for the reserve components of the Army and
9 the Air Force (notwithstanding section 129 of title 10,
10 United States Code) shall be the following:

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

13 (2) For the Army Reserve, 6,492.

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

16 (4) For the Air Force Reserve, 7,947.

17 (b) LIMITATION.—Under no circumstances may a
18 military technician (dual status) employed under the au-
19 thority of this section be coerced by a State into accepting
20 an offer of realignment or conversion to any other military
21 status, including as a member of the Active, Guard, and
22 Reserve program of a reserve component. If a military
23 technician (dual status) declines to participate in such re-
24 alignment or conversion, no further action will be taken
25 against the individual or the individual's position.

1 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
 2 **THORIZED TO BE ON ACTIVE DUTY FOR**
 3 **OPERATIONAL SUPPORT.**

4 During fiscal year 2021, the maximum number of
 5 members of the reserve components of the Armed Forces
 6 who may be serving at any time on full-time operational
 7 support duty under section 115(b) of title 10, United
 8 States Code, is the following:

9 (1) The Army National Guard of the United
 10 States, 17,000.

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

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

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

14 (5) The Air National Guard of the United
 15 States, 16,000.

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

17 **SEC. 415. SEPARATE AUTHORIZATION BY CONGRESS OF**
 18 **MINIMUM END STRENGTHS FOR NON-TEM-**
 19 **PORARY MILITARY TECHNICIANS (DUAL STA-**
 20 **TUS) AND MAXIMUM END STRENGTHS FOR**
 21 **TEMPORARY MILITARY TECHNICIANS (DUAL**
 22 **STATUS).**

23 (a) IN GENERAL.—Section 115(d) of title 10, United
 24 States Code, is amended—

25 (1) in the first sentence, by striking “the end
 26 strength for military technicians (dual status)” and

1 inserting “both the minimum end strength for non-
2 temporary military technicians (dual status) and the
3 maximum end strength for temporary military tech-
4 nicians (dual status)”;

5 (2) in the third sentence, by striking “the end
6 strength requested for military technicians (dual sta-
7 tus)” and inserting “the minimum end strength for
8 non-temporary military technicians (dual status),
9 and the maximum end strength for temporary mili-
10 tary technicians (dual status), requested”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 subsection (a) shall take effect on the day after the date
13 of the enactment of this Act. The amendment made by
14 subsection (a)(2) shall apply with respect to budgets sub-
15 mitted by the President to Congress under section 1105
16 of title 31, United States Code, after such effective date.

17 **Subtitle C—Authorization of** 18 **Appropriations**

19 **SEC. 421. MILITARY PERSONNEL.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
21 are hereby authorized to be appropriated for fiscal year
22 2021 for the use of the Armed Forces and other activities
23 and agencies of the Department of Defense for expenses,
24 not otherwise provided for, for military personnel, as spec-
25 ified in the funding table in section 4401.

1 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
 2 thorization of appropriations in subsection (a) supersedes
 3 any other authorization of appropriations (definite or in-
 4 definite) for such purpose for fiscal year 2021.

5 **TITLE V—MILITARY PERSONNEL**
 6 **POLICY**

7 **Subtitle A—Officer Personnel**
 8 **Policy**

9 **SEC. 501. REPEAL OF CODIFIED SPECIFICATION OF AU-**
 10 **THORIZED STRENGTHS OF CERTAIN COMMIS-**
 11 **SIONED OFFICERS ON ACTIVE DUTY.**

12 Effective as of October 1, 2021, the text of section
 13 523 of title 10, United States Code, is amended to read
 14 as follows:

15 “The total number of commissioned officers serving
 16 on active duty in the Army, Air Force, or Marine Corps
 17 in each of the grades of major, lieutenant colonel, or colo-
 18 nel, or in the Navy in each of the grades of lieutenant
 19 commander, commander, or captain, at the end of any fis-
 20 cal year shall be as specifically authorized by Act of Con-
 21 gress for such fiscal year.”.

1 **SEC. 502. TEMPORARY EXPANSION OF AVAILABILITY OF**
2 **ENHANCED CONSTRUCTIVE SERVICE CREDIT**
3 **IN A PARTICULAR CAREER FIELD UPON**
4 **ORIGINAL APPOINTMENT AS A COMMIS-**
5 **SIONED OFFICER.**

6 (a) **REGULAR OFFICERS.**—Subparagraph (D) of sec-
7 tion 533(b)(1) of title 10, United States Code, is amended
8 to read as follows:

9 “(D) Additional credit as follows:

10 “(i) For special training or experience in a
11 particular officer field as designated by the Sec-
12 retary concerned, if such training or experience
13 is directly related to the operational needs of
14 the armed force concerned.

15 “(ii) During fiscal years 2021 through
16 2025, for advanced education in an officer field
17 so designated, if such education is directly re-
18 lated to the operational needs of the armed
19 force concerned.”.

20 (b) **RESERVE OFFICERS.**—Section 12207(b)(1) of
21 such title is amended—

22 (1) in the matter preceding subparagraph (A),
23 “or a designation in” and all that follows through
24 “education or training,” and inserting “and who has
25 special training or experience, or advanced education
26 (if applicable),”; and

1 (2) by striking subparagraph (D) and inserting
2 the following new subparagraph:

3 “(D) Additional credit as follows:

4 “(i) For special training or experience in a
5 particular officer field as designated by the Sec-
6 retary concerned, if such training or experience
7 is directly related to the operational needs of
8 the armed force concerned.

9 “(ii) During fiscal years 2021 through
10 2025, for advanced education in an officer field
11 so designated, if such education is directly re-
12 lated to the operational needs of the armed
13 force concerned.”.

14 (c) ANNUAL REPORT.—

15 (1) IN GENERAL.—Not later than February 1,
16 2022, and every four years thereafter, each Sec-
17 retary of a military department shall submit to the
18 Committees on Armed Services of the Senate and
19 the House of Representatives a report on the use of
20 the authorities in subparagraph (D) of section
21 553(b)(1) of title 10, United States Code (as amend-
22 ed by subsection (a)), and subparagraph (D) of sec-
23 tion 12207(b)(1) of such title (as amended by sub-
24 section (b)) (each referred to in this subsection as a
25 “constructive credit authority”) during the preceding

1 fiscal year for the Armed Forces under the jurisdic-
2 tion of such Secretary.

3 (2) ELEMENTS.—Each report under paragraph
4 (1) shall include, for the fiscal year and Armed
5 Forces covered by such report, the following:

6 (A) The manner in which constructive
7 service credit was calculated under each con-
8 structive credit authority.

9 (B) The number of officers credited con-
10 structive service credit under each constructive
11 credit authority.

12 (C) A description and assessment of the
13 utility of the constructive credit authorities in
14 meeting the operational needs of the Armed
15 Force concerned.

16 (D) Such other matters in connection with
17 the constructive credit authorities as the Sec-
18 retary of the military department concerned
19 considers appropriate.

20 **SEC. 503. REQUIREMENT FOR PROMOTION SELECTION**
21 **BOARD RECOMMENDATION OF HIGHER**
22 **PLACEMENT ON PROMOTION LIST OF OFFI-**
23 **CERS OF PARTICULAR MERIT.**

24 (a) IN GENERAL.—Section 616(g) of title 10, United
25 States Code, is amended—

1 (1) in paragraph (1)—

2 (A) by striking “may” and inserting
3 “shall”; and

4 (B) by inserting “, pursuant to guidelines
5 and procedures prescribed by the Secretary,”
6 after “officers of particular merit”; and

7 (2) in paragraph (3), by inserting “, pursuant
8 to guidelines and procedures prescribed by the Sec-
9 retary concerned,” after “shall recommend”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall take effect on the date of the enact-
12 ment of this Act, and shall apply with respect to officers
13 recommended for promotion by promotion selection boards
14 convened on or after that date.

15 **SEC. 504. SPECIAL SELECTION REVIEW BOARDS FOR RE-**
16 **VIEW OF PROMOTION OF OFFICERS SUBJECT**
17 **TO ADVERSE INFORMATION IDENTIFIED**
18 **AFTER RECOMMENDATION FOR PROMOTION**
19 **AND RELATED MATTERS.**

20 (a) REGULAR OFFICERS.—

21 (1) IN GENERAL.—Subchapter III of chapter
22 36 of title 10, United States Code, is amended by
23 inserting after section 628 the following new section:

1 **“§ 628a. Special selection review boards**

2 “(a) IN GENERAL.—(1) If the Secretary of the mili-
3 tary department concerned determines that a person rec-
4 ommended by a promotion board for promotion to a grade
5 at or below the grade of major general, rear admiral in
6 the Navy, or an equivalent grade in the Space Force is
7 the subject of credible information of an adverse nature,
8 including any substantiated adverse finding or conclusion
9 described in section 615(a)(3)(A) of this title, that was
10 not furnished to the promotion board during its consider-
11 ation of the person for promotion as otherwise required
12 by such section, the Secretary shall convene a special se-
13 lection review board under this section to review the per-
14 son and recommend whether the recommendation for pro-
15 motion of the person should be sustained.

16 “(2) If a person and the recommendation for pro-
17 motion of the person is subject to review under this section
18 by a special selection review board convened under this
19 section, the name of the person—

20 “(A) shall not be disseminated or publicly re-
21 leased on the list of officers recommended for pro-
22 motion by the promotion board recommending the
23 promotion of the person; and

24 “(B) shall not be forwarded to the Secretary of
25 Defense, the President, or the Senate, as applicable,

1 or included on a promotion list under section 624(a)
2 of this title.

3 “(b) CONVENING.—(1) Any special selection review
4 board convened under this section shall be convened in ac-
5 cordance with the provisions of section 628(f) of this title.

6 “(2) Any special selection review board convened
7 under this section may review such number of persons,
8 and recommendations for promotion of such persons, as
9 the Secretary of the military department concerned shall
10 specify in convening such special selection review board.

11 “(c) INFORMATION CONSIDERED.—(1) In reviewing
12 a person and recommending whether the recommendation
13 for promotion of the person should be sustained under this
14 section, a special selection review board convened under
15 this section shall be furnished and consider the following:

16 “(A) The record and information concerning
17 the person furnished in accordance with section
18 615(a)(2) of this title to the promotion board that
19 recommended the person for promotion.

20 “(B) Any credible information of an adverse na-
21 ture on the person, including any substantiated ad-
22 verse finding or conclusion from an officially docu-
23 mented investigation or inquiry described in section
24 615(a)(3)(A) of this title.

1 “(2) The furnishing of information to a special selec-
2 tion review board under paragraph (1)(B) shall be gov-
3 erned by the standards and procedures referred to in para-
4 graph (3)(C) of section 615(a) of this title applicable to
5 the furnishing of information described in paragraph
6 (3)(A) of such section to selection boards in accordance
7 with that section.

8 “(3)(A) Before information on a person described in
9 paragraph (1)(B) is furnished to a special selection review
10 board for purposes of this section, the Secretary of the
11 military department concerned shall ensure that—

12 “(i) such information is made available to the
13 person; and

14 “(ii) subject to subparagraphs (C) and (D), the
15 person is afforded a reasonable opportunity to sub-
16 mit comments on such information to the special se-
17 lection review board before its review of the person
18 and the recommendation for promotion of the person
19 under this section.

20 “(B) If information on a person described in para-
21 graph (1)(B) is not made available to the person as other-
22 wise required by subparagraph (A)(i) due to the classifica-
23 tion status of such information, the person shall, to the
24 maximum extent practicable, be furnished a summary of

1 such information appropriate to the person's authorization
2 for access to classified information.

3 “(C)(i) An opportunity to submit comments on infor-
4 mation is not required for a person under subparagraph
5 (A)(ii) if—

6 “(I) such information was made available to the
7 person in connection with the furnishing of such in-
8 formation under section 615(a) of this title to the
9 promotion board that recommended the promotion of
10 the person subject to review under this section; and

11 “(II) the person submitted comments on such
12 information to that promotion board.

13 “(ii) The comments on information of a person de-
14 scribed in clause (i)(II) shall be furnished to the special
15 selection review board.

16 “(D) A person may waive either or both of the fol-
17 lowing:

18 “(i) The right to submit comments to a special
19 selection review board under subparagraph (A)(ii).

20 “(ii) The furnishing of comments to a special
21 selection review board under subparagraph (C)(ii).

22 “(d) CONSIDERATION.—(1) In considering the record
23 and information on a person under this section, the special
24 selection review board shall compare such record and in-
25 formation with an appropriate sampling of the records of

1 those officers of the same competitive category who were
2 recommended for promotion by the promotion board that
3 recommended the person for promotion, and an appro-
4 priate sampling of the records of those officers who were
5 considered by and not recommended for promotion by that
6 promotion board.

7 “(2) Records and information shall be presented to
8 a special selection review board for purposes of paragraph
9 (1) in a manner that does not indicate or disclose the per-
10 son or persons for whom the special selection review board
11 was convened.

12 “(3) In considering whether the recommendation for
13 promotion of a person should be sustained under this sec-
14 tion, a special selection review board shall, to the greatest
15 extent practicable, apply standards used by the promotion
16 board that recommended the person for promotion.

17 “(4) The recommendation for promotion of a person
18 may be sustained under this section only if the special se-
19 lection review board determines that the person—

20 “(A) ranks on an order of merit created by the
21 special selection review board as better qualified for
22 promotion than the sample officer highest on the
23 order of merit list who was considered by and not
24 recommended for promotion by the promotion board
25 concerned; and

1 “(B) is comparable in qualification for pro-
2 motion to those sample officers who were rec-
3 ommended for promotion by that promotion board.

4 “(5) A recommendation for promotion of a person
5 may be sustained under this section only by a vote of a
6 majority of the members of the special selection review
7 board.

8 “(6) If a special selection review board does not sus-
9 tain a recommendation for promotion of a person under
10 this section, the person shall be considered to have failed
11 of selection for promotion.

12 “(e) REPORTS.—(1) Each special selection review
13 board convened under this section shall submit to the Sec-
14 retary of the military department concerned a written re-
15 port, signed by each member of the board, containing the
16 name of each person whose recommendation for promotion
17 it recommends for sustainment and certifying that the
18 board has carefully considered the record and information
19 of each person whose name was referred to it.

20 “(2) The provisions of sections 617(b) and 618 of
21 this title apply to the report and proceedings of a special
22 selection review board convened under this section in the
23 same manner as they apply to the report and proceedings
24 of a promotion board convened under section 611(a) of
25 this title.

1 “(f) APPOINTMENT OF PERSONS.—(1) If the report
2 of a special selection review board convened under this sec-
3 tion recommends the sustainment of the recommendation
4 for promotion to the next higher grade of a person whose
5 name was referred to it for review under this section, and
6 the President approves the report, the person shall, as
7 soon as practicable, be appointed to that grade in accord-
8 ance with subsections (b) and (c) of section 624 of this
9 title.

10 “(2) A person who is appointed to the next higher
11 grade as described in paragraph (1) shall, upon that ap-
12 pointment, have the same date of rank, the same effective
13 date for the pay and allowances of that grade, and the
14 same position on the active-duty list as the person would
15 have had pursuant to the original recommendation for
16 promotion of the promotion board concerned.

17 “(g) REGULATIONS.—(1) The Secretary of Defense
18 shall prescribe regulations to carry out this section. Such
19 regulations shall apply uniformly across the military de-
20 partments.

21 “(2) Any regulation prescribed by the Secretary of
22 a military department to supplement the regulations pre-
23 scribed pursuant to paragraph (1) may not take effect
24 without the approval of the Secretary of Defense, in writ-
25 ing.

1 “(h) PROMOTION BOARD DEFINED.—In this section,
2 the term ‘promotion board ’means a selection board con-
3 vened by the Secretary of a military department under sec-
4 tion 611(a) of this title.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
6 tions at the beginning of subchapter III of chapter
7 36 of such title is amended by inserting after the
8 item relating to section 628 the following new item:
“628a. Special selection review boards.”.

9 (3) DELAY IN PROMOTION.—Section 624(d) of
10 such title is amended—

11 (A) in paragraph (1)—

12 (i) in subparagraph (D), by striking
13 “or” at the end;

14 (ii) in subparagraph (E), by striking
15 the period at the end and inserting “; or”;
16 and

17 (iii) by inserting after subparagraph
18 (E) the following new subparagraph (F):

19 “(F) the Secretary of the military department
20 concerned determines that credible information of an
21 adverse nature, including a substantiated adverse
22 finding or conclusion described in section
23 615(a)(3)(A) of this title, with respect to the officer
24 will result in the convening of a special selection re-
25 view board under section 628a of this title to review

1 the officer and recommend whether the rec-
2 ommendation for promotion of the officer should be
3 sustained.”;

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

6 (C) by inserting after paragraph (2) the
7 following new paragraph (3):

8 “(3) In the case of an officer whose promotion is de-
9 layed pursuant to paragraph (1)(F) and whose rec-
10 ommendation for promotion is sustained, authorities for
11 the promotion of the officer are specified in section
12 628a(f) of this title.”; and

13 (D) in paragraph (4), as redesignated by
14 subparagraph (B)—

15 (i) by striking “The appointment”
16 and inserting “(A) Except as provided in
17 subparagraph (B), the appointment”; and

18 (ii) by adding at the end the following
19 new subparagraph:

20 “(B) In the case of an officer whose promotion is de-
21 layed pursuant to paragraph (1)(F), requirements applica-
22 ble to notice and opportunity for response to such delay
23 are specified in section 628a(c)(3) of this title.”.

24 (b) RESERVE OFFICERS.—

1 (1) IN GENERAL.—Chapter 1407 of title 10,
2 United States Code, is amended by inserting after
3 section 14502 the following new section:

4 **“§ 14502a. Special selection review boards**

5 “(a) IN GENERAL.—(1) If the Secretary of the mili-
6 tary department concerned determines that a person rec-
7 ommended by a promotion board for promotion to a grade
8 at or below the grade of major general or rear admiral
9 in the Navy is the subject of credible information of an
10 adverse nature, including any substantiated adverse find-
11 ing or conclusion described in section 14107(a)(3)(A) of
12 this title, that was not furnished to the promotion board
13 during its consideration of the person for promotion as
14 otherwise required by such section, the Secretary shall
15 convene a special selection review board under this section
16 to review the person and recommend whether the rec-
17 ommendation for promotion of the person should be sus-
18 tained.

19 “(2) If a person and the recommendation for pro-
20 motion of the person is subject to review under this section
21 by a special selection review board convened under this
22 section, the name of the person—

23 “(A) shall not be disseminated or publicly re-
24 leased on the list of officers recommended for pro-

1 motion by the promotion board recommending the
2 promotion of the person; and

3 “(B) shall not be forwarded to the Secretary of
4 Defense, the President, or the Senate, as applicable,
5 or included on a promotion list under section
6 14308(a) of this title.

7 “(b) CONVENING.—(1) Any special selection review
8 board convened under this section shall be convened in ac-
9 cordance with the provisions of section 14502(b)(2) of this
10 title.

11 “(2) Any special selection review board convened
12 under this section may review such number of persons,
13 and recommendations for promotion of such persons, as
14 the Secretary of the military department concerned shall
15 specify in convening such special selection review board.

16 “(c) INFORMATION CONSIDERED.—(1) In reviewing
17 a person and recommending whether the recommendation
18 for promotion of the person should be sustained under this
19 section, a special selection review board convened under
20 this section shall be furnished and consider the following:

21 “(A) The record and information concerning
22 the person furnished in accordance with section
23 14107(a)(2) of this title to the promotion board that
24 recommended the person for promotion.

1 “(B) Any credible information of an adverse na-
2 ture on the person, including any substantiated ad-
3 verse finding or conclusion from an officially docu-
4 mented investigation or inquiry described in section
5 14107(a)(3)(A) of this title.

6 “(2) The furnishing of information to a special selec-
7 tion review board under paragraph (1)(B) shall be gov-
8 erned by the standards and procedures referred to in para-
9 graph (3)(B) of section 14107(a) of this title applicable
10 to the furnishing of information described in paragraph
11 (3)(A) of such section to promotion boards in accordance
12 with that section.

13 “(3)(A) Before information on person described in
14 paragraph (1)(B) is furnished to a special selection review
15 board for purposes of this section, the Secretary of the
16 military department concerned shall ensure that—

17 “(i) such information is made available to the
18 person; and

19 “(ii) subject to subparagraphs (C) and (D), the
20 person is afforded a reasonable opportunity to sub-
21 mit comments on such information to the special se-
22 lection review board before its review of the person
23 and the recommendation for promotion of the person
24 under this section.

1 “(B) If information on an officer described in para-
2 graph (1)(B) is not made available to the person as other-
3 wise required by subparagraph (A)(i) due to the classifica-
4 tion status of such information, the person shall, to the
5 maximum extent practicable, be furnished a summary of
6 such information appropriate to the person’s authorization
7 for access to classified information.

8 “(C)(i) An opportunity to submit comments on infor-
9 mation is not required for a person under subparagraph
10 (A)(ii) if—

11 “(I) such information was made available to the
12 person in connection with the furnishing of such in-
13 formation under section 14107(a) of this title to the
14 promotion board that recommended the promotion of
15 the person subject to review under this section; and

16 “(II) the person submitted comments on such
17 information to that promotion board.

18 “(ii) The comments on information of a person de-
19 scribed in clause (i)(II) shall be furnished to the special
20 selection review board.

21 “(D) A person may waive either or both of the fol-
22 lowing:

23 “(i) The right to submit comments to a special
24 selection review board under subparagraph (A)(ii).

1 “(ii) The furnishing of comments to a special
2 selection review board under subparagraph (C)(ii).

3 “(d) CONSIDERATION.—(1) In considering the record
4 and information on a person under this section, the special
5 selection review board shall compare such record and in-
6 formation with an appropriate sampling of the records of
7 those officers of the same competitive category who were
8 recommended for promotion by the promotion board that
9 recommended the person for promotion, and an appro-
10 priate sampling of the records of those officers who were
11 considered by and not recommended for promotion by that
12 promotion board.

13 “(2) Records and information shall be presented to
14 a special selection review board for purposes of paragraph
15 (1) in a manner that does not indicate or disclose the per-
16 son or persons for whom the special selection review board
17 was convened.

18 “(3) In considering whether the recommendation for
19 promotion of a person should be sustained under this sec-
20 tion, a special selection review board shall, to the greatest
21 extent practicable, apply standards used by the promotion
22 board that recommended the person for promotion.

23 “(4) The recommendation for promotion of a person
24 may be sustained under this section only if the special se-
25 lection review board determines that the person—

1 “(A) ranks on an order of merit created by the
2 special selection review board as better qualified for
3 promotion than the sample officer highest on the
4 order of merit list who was considered by and not
5 recommended for promotion by the promotion board
6 concerned; and

7 “(B) is comparable in qualification for pro-
8 motion to those sample officers who were rec-
9 ommended for promotion by that promotion board.

10 “(5) A recommendation for promotion of a person
11 may be sustained under this section only by a vote of a
12 majority of the members of the special selection review
13 board.

14 “(6) If a special selection review board does not sus-
15 tain a recommendation for promotion of a person under
16 this section, the person shall be considered to have failed
17 of selection for promotion.

18 “(e) REPORTS.—(1) Each special selection review
19 board convened under this section shall submit to the Sec-
20 retary of the military department concerned a written re-
21 port, signed by each member of the board, containing the
22 name of each person whose recommendation for promotion
23 it recommends for sustainment and certifying that the
24 board has carefully considered the record and information
25 of each person whose name was referred to it.

1 “(2) The provisions of sections 14109(c), 14110, and
2 14111 of this title apply to the report and proceedings
3 of a special selection review board convened under this sec-
4 tion in the same manner as they apply to the report and
5 proceedings of a promotion board convened under section
6 14101(a) of this title.

7 “(f) APPOINTMENT OF PERSONS.—(1) If the report
8 of a special selection review board convened under this sec-
9 tion recommends the sustainment of the recommendation
10 for promotion to the next higher grade of a person whose
11 name was referred to it for review under this section, and
12 the President approves the report, the person shall, as
13 soon as practicable, be appointed to that grade in accord-
14 ance with section 14308 of this title.

15 “(2) A person who is appointed to the next higher
16 grade as described in paragraph (1) shall, upon that ap-
17 pointment, have the same date of rank, the same effective
18 date for the pay and allowances of that grade, and the
19 same position on the reserve active-status list as the per-
20 son would have had pursuant to the original recommenda-
21 tion for promotion of the promotion board concerned.

22 “(g) REGULATIONS.—(1) The Secretary of Defense
23 shall prescribe regulations to carry out this section. Such
24 regulations shall apply uniformly across the military de-
25 partments.

1 “(2) Any regulation prescribed by the Secretary of
2 a military department to supplement the regulations pre-
3 scribed pursuant to paragraph (1) may not take effect
4 without the approval of the Secretary of Defense, in writ-
5 ing.

6 “(h) PROMOTION BOARD DEFINED.—In this section,
7 the term ‘promotion board ’means a selection board con-
8 vened by the Secretary of a military department under sec-
9 tion 14101(a) of this title.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions at the beginning of chapter 1407 of such title
12 is amended by inserting after the item relating to
13 section 14502 the following new item:

“14502a. Special selection review boards.”.

14 (3) DELAY IN PROMOTION.—Section 14311 of
15 such title is amended—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by adding at the
18 end the following new subparagraph:

19 “(F) The Secretary of the military department
20 concerned determines that credible information of
21 adverse nature, including a substantiated adverse
22 finding or conclusion described in section
23 14107(a)(3)(A) of this title, with respect to the offi-
24 cer will result in the convening of a special selection
25 review board under section 14502a of this title to re-

1 view the officer and recommend whether the rec-
2 ommendation for promotion of the officer should be
3 sustained.”; and

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

6 “(2) In the case of an officer whose promotion is de-
7 layed pursuant to paragraph (1)(F) and whose rec-
8 ommendation for promotion is sustained, authorities for
9 the promotion of the officer are specified in section
10 14502a(f) of this title.”; and

11 (B) in subsection (c), by adding at the end
12 the following new paragraph:

13 “(3) Notwithstanding paragraphs (1) and (2), in the
14 case of an officer whose promotion is delayed pursuant
15 to subsection (a)(1)(F), requirements applicable to notice
16 and opportunity for response to such delay are specified
17 in section 14502a(c)(3) of this title.”.

18 (c) REQUIREMENTS FOR FURNISHING ADVERSE IN-
19 FORMATION ON REGULAR OFFICERS TO PROMOTION SE-
20 LECTION BOARDS.—

21 (1) EXTENSION OF REQUIREMENTS TO SPACE
22 FORCE REGULAR OFFICERS.—Subparagraph (B)(i)
23 of section 615(a)(3) of title 10, United States Code,
24 is amended by striking “or, in the case of the Navy,
25 lieutenant” and inserting “, in the case of the Navy,

1 lieutenant, or in the case of the Space Force, the
2 equivalent grade”.

3 (2) SATISFACTION OF REQUIREMENTS
4 THROUGH SPECIAL SELECTION REVIEW BOARDS.—

5 Such section is further amended by adding at the
6 end the following new subparagraph:

7 “(D) With respect to the consideration of an officer
8 for promotion to a grade at or below major general, in
9 the case of the Navy, rear admiral, or, in the case of the
10 Space Force, the equivalent grade, the requirements in
11 subparagraphs (A) and (C) may be met through the con-
12 vening and actions of a special selection review board with
13 respect to the officer under section 628a of this title.”.

14 (3) DELAYED APPLICABILITY OF REQUIRE-
15 MENTS TO BOARDS FOR PROMOTION OF OFFICERS
16 TO NON-GENERAL AND FLAG OFFICER GRADES.—

17 Subsection (c) of section 502 of the National De-
18 fense Authorization Act for Fiscal Year 2020 (Pub-
19 lic Law 116–92) is amended to read as follows:

20 “(c) EFFECTIVE DATE AND APPLICABILITY.—

21 “(1) EFFECTIVE DATE.—The amendments
22 made by this section shall take effect on December
23 20, 2019, and shall, except as provided in paragraph
24 (2), apply with respect to the proceedings of pro-
25 motion selection boards convened under section

1 611(a) of title 10, United States Code, after that
2 date.

3 “(2) DELAYED APPLICABILITY FOR BOARDS
4 FOR PROMOTION TO NON-GENERAL AND FLAG OFFI-
5 CER GRADES.—The amendments made this section
6 shall apply with respect to the proceedings of pro-
7 motion selection boards convened under section
8 611(a) of title 10, United States Code, for consider-
9 ation of officers for promotion to a grade below the
10 grade of brigadier general or, in the case of the
11 Navy, rear admiral (lower half), only if such boards
12 are so convened after January 1, 2021.”

13 (d) REQUIREMENTS FOR FURNISHING ADVERSE IN-
14 FORMATION ON RESERVE OFFICERS TO PROMOTION SE-
15 LECTION BOARDS.—Section 14107(a)(3) of title 10,
16 United States Code, is amended—

17 (1) by inserting “(A)” after “(3)”;

18 (2) in subparagraph (A), as designated by para-
19 graph (1), by striking “colonel, or, in the case of the
20 Navy, captain” and inserting “lieutenant colonel, or,
21 in the case of the Navy, commander”; and

22 (3) by adding at the end the following new sub-
23 paragraphs

24 “(B) The standards and procedures referred to in
25 subparagraph (A) shall require the furnishing to the selec-

1 tion board, and to each individual member of the board,
 2 the information described in that subparagraph with re-
 3 gard to an officer in a grade specified in that subpara-
 4 graph at each stage or phase of the selection board, con-
 5 current with the screening, rating, assessment, evaluation,
 6 discussion, or other consideration by the board or member
 7 of the official military personnel file of the officer, or of
 8 the officer.

9 “(C) With respect to the consideration of an officer
 10 for promotion to a grade at or below major general or,
 11 in the Navy, rear admiral, the requirements in subpara-
 12 graphs (A) and (B) may be met through the convening
 13 and actions of a special selection board with respect to
 14 the officer under section 14502a of this title.”.

15 **SEC. 505. NUMBER OF OPPORTUNITIES FOR CONSIDER-**
 16 **ATION FOR PROMOTION UNDER ALTER-**
 17 **NATIVE PROMOTION AUTHORITY.**

18 Section 649c of title 10, United States Code, is
 19 amended—

20 (1) by redesignating subsection (d) as sub-
 21 section (e); and

22 (2) by inserting after subsection (c) the fol-
 23 lowing new subsection (d):

24 “(d) INAPPLICABILITY OF REQUIREMENT RELATING
 25 TO OPPORTUNITIES FOR CONSIDERATION FOR PRO-

1 MOTION.—Section 645(1)(A)(i)(I) of this title shall not
2 apply to the promotion of officers described in subsection
3 (a) to the extent that such section is inconsistent with a
4 number of opportunities for promotion specified pursuant
5 to section 649d of this title.”.

6 **SEC. 506. MANDATORY RETIREMENT FOR AGE.**

7 (a) GENERAL RULE.—Subsection (a) of section 1251
8 of title 10, United States Code, is amended—

9 (1) by inserting “Space Force,” after “or Ma-
10 rine Corps,”; and

11 (2) by inserting “or separated, as specified in
12 subsection (e),” after “shall be retired”.

13 (b) DEFERRED RETIREMENT OR SEPARATION OF
14 HEALTH PROFESSIONS OFFICERS.—Subsection (b) of
15 such section is amended—

16 (1) in the subsection heading, by inserting “OR
17 SEPARATION” after “RETIREMENT”; and

18 (2) in paragraph (1), by inserting “or separa-
19 tion” after “retirement”.

20 (c) DEFERRED RETIREMENT OR SEPARATION OF
21 OTHER OFFICERS.—Subsection (c) of such section is
22 amended—

23 (1) in the subsection heading, by striking “OF
24 CHAPLAINS” and inserting “OR SEPARATION OF
25 OTHER OFFICERS”;

1 (2) by inserting “or separation” after “retire-
2 ment”; and

3 (3) by striking “an officer who is appointed or
4 designated as a chaplain” and inserting “any officer
5 other than a health professions officer described in
6 subsection (b)(2)”.

7 (d) RETIREMENT OR SEPARATION BASED ON YEARS
8 OF CREDITABLE SERVICE.—Such section is further
9 amended by adding at the end the following new sub-
10 section:

11 “(e) RETIREMENT OR SEPARATION BASED ON YEARS
12 OF CREDITABLE SERVICE.—The following rules shall
13 apply to a regular commissioned officer who is to be re-
14 tired or separated under subsection (a):

15 “(1) If the officer has at least 6 but fewer than
16 20 years of creditable service, the officer shall be
17 separated, with separation pay computed under sec-
18 tion 1174(d)(1) of this title.

19 “(2) If the officer has fewer than 6 years of
20 creditable service, the officer shall be separated
21 under subsection (a).”.

22 **SEC. 507. CLARIFYING AND IMPROVING RESTATEMENT OF**
23 **RULES ON THE RETIRED GRADE OF COMMIS-**
24 **SIONED OFFICERS.**

25 (a) RESTATEMENT.—

1 (1) IN GENERAL.—Chapter 69 of title 10,
2 United States Code, is amended by striking section
3 1370 and inserting the following new sections:

4 **“§ 1370. Regular commissioned officers**

5 “(a) RETIREMENT IN HIGHEST GRADE IN WHICH
6 SERVED SATISFACTORILY.—

7 “(1) IN GENERAL.—Unless entitled to a dif-
8 ferent retired grade under some other provision of
9 law, a commissioned officer (other than a commis-
10 sioned warrant officer) of the Army, Navy, Air
11 Force, Marine Corps, or Space Force who retires
12 under any provision of law other than chapter 61 or
13 1223 of this title shall be retired in the highest per-
14 manent grade in which such officer is determined to
15 have served on active duty satisfactorily.

16 “(2) DETERMINATION OF SATISFACTORY SERV-
17 ICE.—The determination of satisfactory service of an
18 officer in a grade under paragraph (1) shall be made
19 as follows:

20 “(A) By the Secretary of the military de-
21 partment concerned, if the officer is serving in
22 a grade at or below the grade of major general,
23 rear admiral in the Navy, or the equivalent
24 grade in the Space Force.

1 “(B) By the Secretary of Defense, if the
2 officer is serving or has served in a grade above
3 the grade of major general, rear admiral in the
4 Navy, or the equivalent grade in the Space
5 Force.

6 “(3) EFFECT OF MISCONDUCT IN LOWER
7 GRADE IN DETERMINATION.—If the Secretary of a
8 military department or the Secretary of Defense, as
9 applicable, determines that an officer committed
10 misconduct in a lower grade than the retirement
11 grade otherwise provided for the officer by this sec-
12 tion—

13 “(A) such Secretary may deem the officer
14 to have not served satisfactorily in any grade
15 equal to or higher than such lower grade for
16 purposes of determining the retirement grade of
17 the officer under this section; and

18 “(B) the grade next lower to such lower
19 grade shall be the retired grade of the officer
20 under this section.

21 “(4) NATURE OF RETIREMENT OF CERTAIN RE-
22 SERVE OFFICERS AND OFFICERS IN TEMPORARY
23 GRADES.—A reserve officer, or an officer appointed
24 to a position under section 601 of this title, who is
25 notified that the officer will be released from active

1 duty without the officer's consent and thereafter re-
2 quests retirement under section 7311, 8323, or 9311
3 of this title and is retired pursuant to that request
4 is considered for purposes of this section to have
5 been retired involuntarily.

6 “(5) NATURE OF RETIREMENT OF CERTAIN RE-
7 MOVED OFFICERS.—An officer retired pursuant to
8 section 1186(b)(1) of this title is considered for pur-
9 poses of this section to have been retired voluntarily.

10 “(b) RETIREMENT OF OFFICERS RETIRING VOLUN-
11 TARIPLY.—

12 “(1) SERVICE-IN-GRADE REQUIREMENT.—In
13 order to be eligible for voluntary retirement under
14 any provision of this title in a grade above the grade
15 of captain in the Army, Air Force, or Marine Corps,
16 lieutenant in the Navy, or the equivalent grade in
17 the Space Force, a commissioned officer of the
18 Army, Navy, Air Force, Marine Corps, or Space
19 Force must have served on active duty in that grade
20 for a period of not less than three years, except
21 that—

22 “(A) subject to subsection (c), the Sec-
23 retary of Defense may reduce such period to a
24 period of not less than two years for any offi-
25 cer; and

1 “(B) in the case of an officer to be retired
2 in a grade at or below the grade of major gen-
3 eral in the Army, Air Force, or Marine Corps,
4 rear admiral in the Navy, or an equivalent
5 grade in the Space Force, the Secretary of De-
6 fense may authorize the Secretary of the mili-
7 tary department concerned to reduce such pe-
8 riod to a period of not less than two years.

9 “(2) LIMITATION ON DELEGATION.—The au-
10 thority of the Secretary of Defense in subparagraph
11 (A) of paragraph (1) may not be delegated. The au-
12 thority of the Secretary of a military department in
13 subparagraph (B) of paragraph (1), as delegated to
14 such Secretary pursuant to such subparagraph, may
15 not be further delegated.

16 “(3) WAIVER OF REQUIREMENT.—Subject to
17 subsection (c), the President may waive the applica-
18 tion of the service-in-grade requirement in para-
19 graph (1) to officers covered by that paragraph in
20 individual cases involving extreme hardship or excep-
21 tional or unusual circumstances. The authority of
22 the President under this paragraph may not be dele-
23 gated.

24 “(4) LIMITATION ON REDUCTION OR WAIVER
25 OF REQUIREMENT FOR OFFICERS UNDER INVES-

1 TIGATION OR PENDING MISCONDUCT.—In the case of
2 an officer to be retired in a grade above the grade
3 of colonel in the Army, Air Force, or Marine Corps,
4 captain in the Navy, or the equivalent grade in the
5 Space Force, the service-in-grade requirement in
6 paragraph (1) may not be reduced pursuant to that
7 paragraph, or waived pursuant to paragraph (3),
8 while the officer is under investigation for alleged
9 misconduct or while there is pending the disposition
10 of an adverse personnel action against the officer.

11 “(5) GRADE AND FISCAL YEAR LIMITATIONS ON
12 REDUCTION OR WAIVER OF REQUIREMENTS.—The
13 aggregate number of members of an armed force in
14 a grade for whom reductions are made under para-
15 graph (1), and waivers are made under paragraph
16 (3), in a fiscal year may not exceed—

17 “(A) in the case of officers to be retired in
18 a grade at or below the grade of major in the
19 Army, Air Force, or Marine Corps, lieutenant
20 commander in the Navy, or the equivalent
21 grade in the Space Force, the number equal to
22 two percent of the authorized active-duty
23 strength for that fiscal year for officers of that
24 armed force in that grade;

1 “(B) in the case of officers to be retired in
2 the grade of lieutenant colonel or colonel in the
3 Army, Air Force, or Marine Corps, commander
4 or captain in the Navy, or an equivalent grade
5 in the Space Force, the number equal to four
6 percent of the authorized active-duty strength
7 for that fiscal year for officers of that armed
8 force in the applicable grade; or

9 “(C) in the case of officers to be retired in
10 the grade of brigadier general or major general
11 in the Army, Air Force, or Marine Corps, rear
12 admiral (lower half) or rear admiral in the
13 Navy, or an equivalent grade in the Space
14 Force, the number equal to 10 percent of the
15 authorized active-duty strength for that fiscal
16 year for officers of that armed force in the ap-
17 plicable grade.

18 “(6) NOTICE TO CONGRESS ON REDUCTION OR
19 WAIVER OF REQUIREMENTS FOR GENERAL, FLAG,
20 AND EQUIVALENT OFFICER GRADES.—In the case of
21 an officer to be retired in a grade that is a general
22 or flag officer grade, or an equivalent grade in the
23 Space Force, who is eligible to retire in that grade
24 only by reason of an exercise of the authority in
25 paragraph (1) to reduce the service-in-grade require-

1 ment in that paragraph, or the authority in para-
2 graph (3) to waive that requirement, the Secretary
3 of Defense or the President, as applicable, shall, not
4 later than 60 days prior to the date on which the
5 officer will be retired in that grade, notify the Com-
6 mittees on Armed Services of the Senate and the
7 House of Representatives of the exercise of the ap-
8 plicable authority with respect to that officer.

9 “(7) RETIREMENT IN NEXT LOWEST GRADE
10 FOR OFFICERS NOT MEETING REQUIREMENT.—An
11 officer described in paragraph (1) whose length of
12 service in the highest grade held by the officer while
13 on active duty does not meet the period of the serv-
14 ice-in-grade requirement applicable to the officer
15 under this subsection shall, subject to subsection (c),
16 be retired in the next lower grade in which the offi-
17 cer served on active duty satisfactorily, as deter-
18 mined by the Secretary of the military department
19 concerned or the Secretary of Defense, as applicable.

20 “(c) OFFICERS IN O-9 AND O-10 GRADES.—

21 “(1) IN GENERAL.—An officer of the Army,
22 Navy, Air Force, Marine Corps, or Space Force who
23 is serving or has served in a position of importance
24 and responsibility designated by the President to
25 carry the grade of lieutenant general or general in

1 the Army, Air Force, or Marine Corps, vice admiral
2 or admiral in the Navy, or an equivalent grade in
3 the Space Force under section 601 of this title may
4 be retired in such grade under subsection (a) only
5 after the Secretary of Defense certifies in writing to
6 the President and the Committees on Armed Serv-
7 ices of the Senate and the House of Representatives
8 that the officer served on active duty satisfactorily
9 in such grade.

10 “(2) PROHIBITION ON DELEGATION.—The au-
11 thority of the Secretary of Defense to make a certifi-
12 cation with respect to an officer under paragraph (1)
13 may not be delegated.

14 “(3) REQUIREMENTS IN CONNECTION WITH
15 CERTIFICATION.—A certification with respect to an
16 officer under paragraph (1) shall—

17 “(A) be submitted by the Secretary of De-
18 fense such that it is received by the President
19 and the Committees on Armed Services of the
20 Senate and the House of Representatives not
21 later than 60 days prior to the date on which
22 the officer will be retired in the grade con-
23 cerned;

24 “(B) include an up-to-date copy of the
25 military biography of the officer; and

1 “(C) include the statement of the Sec-
2 retary as to whether or not potentially adverse,
3 adverse, or reportable information regarding the
4 officer was considered by the Secretary in mak-
5 ing the certification.

6 “(4) CONSTRUCTION WITH OTHER NOTICE.—In
7 the case of an officer under paragraph (1) to whom
8 a reduction in the service-in-grade requirement
9 under subsection (b)(1) or waiver under subsection
10 (b)(3) applies, the requirement for notification under
11 subsection (b)(6) is satisfied if the notification is in-
12 cluded in the certification submitted by the Sec-
13 retary of Defense under paragraph (1).

14 “(d) CONDITIONAL RETIREMENT GRADE AND RE-
15 TIREMENT FOR OFFICERS PENDING INVESTIGATION OR
16 ADVERSE ACTION.—

17 “(1) IN GENERAL.—When an officer serving in
18 a grade at or below the grade of major general in
19 the Army, Air Force, or Marine Corps, rear admiral
20 in the Navy, or an equivalent grade in the Space
21 Force is under investigation for alleged misconduct
22 or pending the disposition of an adverse personnel
23 action at the time of retirement, the Secretary of the
24 military department concerned may—

1 “(A) conditionally determine the highest
2 permanent grade of satisfactory service on ac-
3 tive duty of the officer pending completion of
4 the investigation or resolution of the personnel
5 action, as applicable; and

6 “(B) retire the officer in that conditional
7 grade, subject to subsection (e).

8 “(2) OFFICERS IN O-9 AND O-10 GRADES.—
9 When an officer described by subsection (c)(1) is
10 under investigation for alleged misconduct or pend-
11 ing the disposition of an adverse personnel action at
12 the time of retirement, the Secretary of Defense
13 may—

14 “(A) conditionally determine the highest
15 permanent grade of satisfactory service on ac-
16 tive duty of the officer, pending completion of
17 the investigation or personnel action, as appli-
18 cable; and

19 “(B) retire the officer in that conditional
20 grade, subject to subsection (e).

21 “(3) REDUCTION OR WAIVER OF SERVICE-IN-
22 GRADE REQUIREMENT PROHIBITED FOR GENERAL,
23 FLAG, AND EQUIVALENT OFFICER GRADES.—In con-
24 ditionally determining the retirement grade of an of-
25 ficer under paragraph (1)(A) or (2)(A) of this sub-

1 section to be a grade above the grade of colonel in
2 the Army, Air Force, or Marine Corps, captain in
3 the Navy, or the equivalent grade in the Space
4 Force, the service-in-grade requirement in subsection
5 (b)(1) may not be reduced pursuant to subsection
6 (b)(1) or waived pursuant to subsection (b)(3).

7 “(4) PROHIBITION ON DELEGATION.—The au-
8 thority of the Secretary of a military department
9 under paragraph (1) may not be delegated. The au-
10 thority of the Secretary of Defense under paragraph
11 (2) may not be delegated.

12 “(e) FINAL RETIREMENT GRADE FOLLOWING RESO-
13 LUTION OF PENDING INVESTIGATION OR ADVERSE AC-
14 TION.—

15 “(1) NO CHANGE FROM CONDITIONAL RETIRE-
16 MENT GRADE.—If the resolution of an investigation
17 or personnel action with respect to an officer who
18 has been retired in a conditional retirement grade
19 pursuant to subsection (d) results in a determination
20 that the conditional retirement grade in which the
21 officer was retired will not be changed, the condi-
22 tional retirement grade of the officer shall, subject
23 to paragraph (3), be the final retired grade of the
24 officer.

1 “(2) CHANGE FROM CONDITIONAL RETIREMENT
2 GRADE.—If the resolution of an investigation or per-
3 sonnel action with respect to an officer who has been
4 retired in a conditional retirement grade pursuant to
5 subsection (d) results in a determination that the
6 conditional retirement grade in which the officer was
7 retired should be changed, the changed retirement
8 grade shall be the final retired grade of the officer
9 under this section, except that if the final retirement
10 grade provided for an officer pursuant to this para-
11 graph is the grade of lieutenant general or general
12 in the Army, Air Force, or Marine Corps, vice admiral
13 or admiral in the Navy, or an equivalent grade
14 in the Space Force, the requirements in subsection
15 (c) shall apply in connection with the retirement of
16 the officer in such final retirement grade.

17 “(3) RECALCULATION OF RETIRED PAY.—

18 “(A) IN GENERAL.—If the final retired
19 grade of an officer is as a result of a change
20 under paragraph (2), the retired pay of the offi-
21 cer under chapter 71 of this title shall be recal-
22 culated accordingly, with any modification of
23 the retired pay of the officer to go into effect
24 as of the date of the retirement of the officer.

1 “(B) PAYMENT OF HIGHER AMOUNT FOR
2 PERIOD OF CONDITIONAL RETIREMENT
3 GRADE.—If the recalculation of the retired pay
4 of an officer results in an increase in retired
5 pay, the officer shall be paid the amount by
6 which such increased retired pay exceeded the
7 amount of retired pay paid the officer for re-
8 tirement in the officer’s conditional grade dur-
9 ing the period beginning on the date of the re-
10 tirement of the officer in such conditional grade
11 and ending on the effective date of the change
12 of the officer’s retired grade. For an officer
13 whose retired grade is determined pursuant to
14 subsection (c), the effective date of the change
15 of the officer’s retired grade for purposes of
16 this subparagraph shall be the date that is 60
17 days after the date on which the Secretary of
18 Defense submits to the Committees on Armed
19 Services of the Senate and the House of Rep-
20 resentatives the certification required by sub-
21 section (c) in connection with the retired grade
22 of the officer.

23 “(C) RECOUPMENT OF OVERAGE DURING
24 PERIOD OF CONDITIONAL RETIREMENT
25 GRADE.—If the recalculation of the retired pay

1 of an officer results in a decrease in retired
 2 pay, there shall be recouped from the officer the
 3 amount by which the amount of retired pay
 4 paid the officer for retirement in the officer's
 5 conditional grade exceeded such decreased re-
 6 tired pay during the period beginning on the
 7 date of the retirement of the officer in such
 8 conditional grade and ending on the effective
 9 date of the change of the officer's retired grade.

10 “(f) FINALITY OF RETIRED GRADE DETERMINA-
 11 TIONS.—

12 “(1) IN GENERAL.—Except for a conditional
 13 determination authorized by subsection (d), a deter-
 14 mination of the retired grade of an officer pursuant
 15 to this section is administratively final on the day
 16 the officer is retired, and may not be reopened, ex-
 17 cept as provided in paragraph (2).

18 “(2) REOPENING.—A final determination of the
 19 retired grade of an officer may be reopened as fol-
 20 lows:

21 “(A) If the retirement or retired grade of
 22 the officer was procured by fraud.

23 “(B) If substantial evidence comes to light
 24 after the retirement that could have led to de-
 25 termination of a different retired grade under

1 this section if known by competent authority at
2 the time of retirement.

3 “(C) If a mistake of law or calculation was
4 made in the determination of the retired grade.

5 “(D) If the applicable Secretary deter-
6 mines, pursuant to regulations prescribed by
7 the Secretary of Defense, that good cause exists
8 to reopen the determination of retired grade.

9 “(3) APPLICABLE SECRETARY.—For purposes
10 of this subsection, the applicable Secretary for pur-
11 poses of a determination or action specified in this
12 subsection is—

13 “(A) the Secretary of the military depart-
14 ment concerned, in the case of an officer retired
15 in a grade at or below the grade of major gen-
16 eral in the Army, Air Force, or Marine Corps,
17 rear admiral in the Navy, or the equivalent
18 grade in the Space Force; or

19 “(B) the Secretary of Defense, in the case
20 of an officer retired in a grade of lieutenant
21 general or general in the Army, Air Force, or
22 Marine Corps, vice admiral or admiral in the
23 Navy, or an equivalent grade in the Space
24 Force.

1 “(4) NOTICE AND LIMITATION.—If a final de-
2 termination of the retired grade of an officer is re-
3 opened in accordance with paragraph (2), the appli-
4 cable Secretary—

5 “(A) shall notify the officer of the reopen-
6 ing; and

7 “(B) may not make an adverse determina-
8 tion on the retired grade of the officer until the
9 officer has had a reasonable opportunity to re-
10 spond regarding the basis for the reopening of
11 the officer’s retired grade.

12 “(5) ADDITIONAL NOTICE ON REOPENING FOR
13 OFFICERS RETIRED IN O-9 AND O-10 GRADES.—If
14 the determination of the retired grade of an officer
15 whose retired grade was provided for pursuant to
16 subsection (c) is reopened, the Secretary of Defense
17 shall also notify the President and the Committees
18 on Armed Services of the Senate and the House of
19 Representatives.

20 “(6) MANNER OF MAKING OF CHANGE.—If the
21 retired grade of an officer is proposed to be changed
22 through the reopening of the final determination of
23 an officer’s retired grade under this subsection, the
24 change in grade shall be made—

1 “(A) in the case of an officer whose retired
2 grade is to be changed to a grade at or below
3 the grade of major general in the Army, Air
4 Force or Marine Corps, rear admiral in the
5 Navy, or the equivalent grade in the Space
6 Force, in accordance with subsections (a) and
7 (b)—

8 “(i) by the Secretary of Defense (who
9 may delegate such authority only as au-
10 thorized by clause (ii)); or

11 “(ii) if authorized by the Secretary of
12 Defense, by the Secretary of the military
13 department concerned (who may not fur-
14 ther delegate such authority);

15 “(B) in the case of an officer whose retired
16 grade is to be changed to the grade of lieuten-
17 ant general or general in the Army, Air Force,
18 or Marine Corps, vice admiral or admiral in the
19 Navy, or an equivalent grade in the Space
20 Force, by the President, by and with the advice
21 and consent of the Senate.

22 “(7) RECALCULATION OF RETIRED PAY.—If the
23 final retired grade of an officer is changed through
24 the reopening of the officer’s retired grade under
25 this subsection, the retired pay of the officer under

1 chapter 71 of this title shall be recalculated. Any
2 modification of the retired pay of the officer as a re-
3 sult of the change shall go into effect on the effec-
4 tive date of the change of the officer's retired grade,
5 and the officer shall not be entitled or subject to any
6 changed amount of retired pay for any period before
7 such effective date. An officer whose retired grade is
8 changed as provided in paragraph (6)(B) shall not
9 be entitled or subject to a change in retired pay for
10 any period before the date on which the Senate pro-
11 vides advice and consent for the retirement of the of-
12 ficer in such grade.

13 “(g) HIGHEST PERMANENT GRADE DEFINED.—In
14 this section, the term ‘highest permanent grade’ means a
15 grade at or below the grade of major general in the Army,
16 Air Force, or Marine Corps, rear admiral in the Navy,
17 or an equivalent grade in the Space Force.

18 **“§ 1370a. Officers entitled to retired pay for non-reg-**
19 **ular service**

20 “(a) RETIREMENT IN HIGHEST GRADE HELD SATIS-
21 FACTORILY.—Unless entitled to a different grade, or to
22 credit for satisfactory service in a different grade under
23 some other provision of law, a person who is entitled to
24 retired pay under chapter 1223 of this title shall, upon
25 application under section 12731 of this title, be credited

1 with satisfactory service in the highest permanent grade
2 in which that person served satisfactorily at any time in
3 the armed forces, as determined by the Secretary of the
4 military department concerned in accordance with this
5 section.

6 “(b) SERVICE-IN-GRADE REQUIREMENT FOR OFFI-
7 CERS IN GRADES BELOW O-5.—In order to be credited
8 with satisfactory service in an officer grade (other than
9 a warrant officer grade) below the grade of lieutenant
10 colonel or commander (in the case of the Navy), a person
11 covered by subsection (a) must have served satisfactorily
12 in that grade (as determined by the Secretary of the mili-
13 tary department concerned) as a reserve commissioned of-
14 ficer in an active status, or in a retired status on active
15 duty, for not less than six months.

16 “(c) SERVICE-IN-GRADE REQUIREMENT FOR OF-
17 FICES IN GRADES ABOVE O-4.—

18 “(1) IN GENERAL.—In order to be credited with
19 satisfactory service in an officer grade above major
20 or lieutenant commander (in the case of the Navy),
21 a person covered by subsection (a) must have served
22 satisfactorily in that grade (as determined by the
23 Secretary of the military department concerned) as
24 a reserve commissioned officer in an active status, or

1 in a retired status on active duty, for not less than
2 three years.

3 “(2) SATISFACTION OF REQUIREMENT BY CER-
4 TAIN OFFICERS NOT COMPLETING THREE YEARS.—
5 A person covered by paragraph (1) who has com-
6 pleted at least six months of satisfactory service in
7 grade may be credited with satisfactory service in
8 the grade in which serving at the time of transfer
9 or discharge, notwithstanding failure of the person
10 to complete three years of service in that grade, if
11 the person is transferred from an active status or
12 discharged as a reserve commissioned officer—

13 “(A) solely due to the requirements of a
14 nondiscretionary provision of law requiring that
15 transfer or discharge due to the person’s age or
16 years of service; or

17 “(B) because the person no longer meets
18 the qualifications for membership in the Ready
19 Reserve solely because of a physical disability,
20 as determined, at a minimum, by a medical
21 evaluation board and at the time of such trans-
22 fer or discharge the person (pursuant to section
23 12731b of this title or otherwise) meets the
24 service requirements established by section
25 12731(a) of this title for eligibility for retired

1 pay under chapter 1223 of this title, unless the
2 disability is described in section 12731b of this
3 title.

4 “(3) REDUCTION IN SERVICE-IN-GRADE RE-
5 QUIREMENTS.—

6 “(A) OFFICERS IN GRADES BELOW GEN-
7 ERAL AND FLAG OFFICER GRADES.—In the case
8 of a person to be retired in a grade below briga-
9 dier general or rear admiral (lower half) in the
10 Navy, the Secretary of Defense may authorize
11 the Secretary of a military department to re-
12 duce, subject to subparagraph (B), the three-
13 year period of service-in-grade required by para-
14 graph (1) to a period not less than two years.
15 The authority of the Secretary of a military de-
16 partment under this subparagraph may not be
17 delegated.

18 “(B) LIMITATION.—The number of reserve
19 commissioned officers of an armed force in the
20 same grade for whom a reduction is made
21 under subparagraph (A) during any fiscal year
22 in the period of service-in-grade otherwise re-
23 quired by paragraph (1) may not exceed the
24 number equal to 2 percent of the strength au-
25 thorized for that fiscal year for reserve commis-

1 sioned officers of that armed force in an active
2 status in that grade.

3 “(C) OFFICERS IN GENERAL AND FLAG
4 OFFICERS GRADES.—The Secretary of Defense
5 may reduce the three-year period of service-in-
6 grade required by paragraph (1) to a period not
7 less than two years for any person, including a
8 person who, upon transfer to the Retired Re-
9 serve or discharge, is to be credited with satis-
10 factory service in a general or flag officer grade
11 under that paragraph. The authority of the
12 Secretary of Defense under this subparagraph
13 may not be delegated.

14 “(D) NOTICE TO CONGRESS ON REDUC-
15 TION IN SERVICE-IN-GRADE REQUIREMENTS
16 FOR GENERAL AND FLAG OFFICER GRADES.—
17 In the case of a person to be credited under
18 this section with satisfactory service in a grade
19 that is a general or flag officer grade who is eli-
20 gible to be credited with such service in that
21 grade only by reason of an exercise of authority
22 in subparagraph (C) to reduce the three-year
23 service-in-grade requirement otherwise applica-
24 ble under paragraph (1), the Secretary of De-
25 fense shall, not later than 60 days prior to the

1 date on which the person will be credited with
2 such satisfactory service in that grade, notify
3 the Committees on Armed Services of the Sen-
4 ate and the House of Representatives of the ex-
5 ercise of authority in subparagraph (C) with re-
6 spect to that person.

7 “(4) OFFICERS SERVING IN GRADES ABOVE O-
8 6 INVOLUNTARILY TRANSFERRED FROM ACTIVE STA-
9 TUS.—A person covered by paragraph (1) who has
10 completed at least six months of satisfactory service
11 in a grade above colonel or (in the case of the Navy)
12 captain and, while serving in an active status in
13 such grade, is involuntarily transferred (other than
14 for cause) from active status may be credited with
15 satisfactory service in the grade in which serving at
16 the time of such transfer, notwithstanding failure of
17 the person to complete three years of service in that
18 grade.

19 “(5) ADJUTANTS AND ASSISTANT ADJUTANTS
20 GENERAL.—If a person covered by paragraph (1)
21 has completed at least six months of satisfactory
22 service in grade, the person was serving in that
23 grade while serving in a position of adjutant general
24 required under section 314 of title 32 or while serv-
25 ing in a position of assistant adjutant general subor-

1 dinate to such a position of adjutant general, and
2 the person has failed to complete three years of serv-
3 ice in that grade solely because the person's appoint-
4 ment to such position has been terminated or va-
5 cated as described in section 324(b) of such title, the
6 person may be credited with satisfactory service in
7 that grade, notwithstanding the failure of the person
8 to complete three years of service in that grade.

9 “(6) OFFICERS RECOMMENDED FOR PRO-
10 MOTION SERVING IN CERTAIN GRADE BEFORE PRO-
11 MOTION.—To the extent authorized by the Secretary
12 of the military department concerned, a person who,
13 after having been recommended for promotion in a
14 report of a promotion board but before being pro-
15 moted to the recommended grade, served in a posi-
16 tion for which that grade is the minimum authorized
17 grade may be credited for purposes of paragraph (1)
18 as having served in that grade for the period for
19 which the person served in that position while in the
20 next lower grade. The period credited may not in-
21 clude any period before the date on which the Senate
22 provides advice and consent for the appointment of
23 that person in the recommended grade.

24 “(7) OFFICERS QUALIFIED FOR FEDERAL REC-
25 OGNITION SERVING IN CERTAIN GRADE BEFORE AP-

1 POINTMENT.—To the extent authorized by the Sec-
2 retary of the military department concerned, a per-
3 son who, after having been found qualified for Fed-
4 eral recognition in a higher grade by a board under
5 section 307 of title 32, serves in a position for which
6 that grade is the minimum authorized grade and is
7 appointed as a reserve officer in that grade may be
8 credited for the purposes of paragraph (1) as having
9 served in that grade. The period of the service for
10 which credit is afforded under the preceding sen-
11 tence may be only the period for which the person
12 served in the position after the Senate provides ad-
13 vice and consent for the appointment.

14 “(8) RETIREMENT IN NEXT LOWEST GRADE
15 FOR OFFICERS NOT MEETING SERVICE-IN-GRADE RE-
16 QUIREMENTS.—A person whose length of service in
17 the highest grade held does not meet the service-in-
18 grade requirements specified in this subsection shall
19 be credited with satisfactory service in the next
20 lower grade in which that person served satisfac-
21 torily (as determined by the Secretary of the mili-
22 tary department concerned) for not less than six
23 months.

24 “(d) OFFICERS IN O-9 AND O-10 GRADES.—

1 “(1) IN GENERAL.—A person covered by this
2 section in the Army, Navy, Air Force, or Marine
3 Corps who is serving or has served in a position of
4 importance and responsibility designated by the
5 President to carry the grade of lieutenant general or
6 general in the Army, Air Force, or Marine Corps, or
7 vice admiral or admiral in the Navy under section
8 601 of this title may be retired in such grade under
9 subsection (a) only after the Secretary of Defense
10 certifies in writing to the President and the Commit-
11 tees on Armed Services of the Senate and the House
12 of Representatives that the officer served satisfac-
13 torily in such grade.

14 “(2) PROHIBITION ON DELEGATION.—The au-
15 thority of the Secretary of Defense to make a certifi-
16 cation with respect to an officer under paragraph (1)
17 may not be delegated.

18 “(3) REQUIREMENTS IN CONNECTION WITH
19 CERTIFICATION.—A certification with respect to an
20 officer under paragraph (1) shall—

21 “(A) be submitted by the Secretary of De-
22 fense such that it is received by the President
23 and the Committees on Armed Services of the
24 Senate and the House of Representatives not
25 later than 60 days prior to the date on which

1 the officer will be retired in the grade con-
2 cerned;

3 “(B) include an up-to-date copy of the
4 military biography of the officer; and

5 “(C) include the statement of the Sec-
6 retary as to whether or not potentially adverse,
7 adverse, or reportable information regarding the
8 officer was considered by the Secretary in mak-
9 ing the certification.

10 “(4) CONSTRUCTION WITH OTHER NOTICE.—In
11 the case of an officer under paragraph (1) who is el-
12 igible to be credited with service in a grade only by
13 reason of the exercise of the authority in subsection
14 (c)(3)(C) to reduce the three-year service-in-grade
15 requirement under subsection (c)(1), the require-
16 ment for notification under subsection (c)(3)(D) is
17 satisfied if the notification is included in the certifi-
18 cation submitted by the Secretary of Defense under
19 paragraph (1).

20 “(e) CONDITIONAL RETIREMENT GRADE AND RE-
21 TIREMENT FOR OFFICERS UNDER INVESTIGATION FOR
22 MISCONDUCT OR PENDING ADVERSE PERSONNEL AC-
23 TION.—The retirement grade, and retirement, of a person
24 covered by this section who is under investigation for al-
25 leged misconduct or pending the disposition of an adverse

1 personnel action at the time of retirement is as provided
2 for by section 1370(d) of this title. In the application of
3 such section 1370(d) for purposes of this subsection, any
4 reference ‘active duty’ shall be deemed not to apply, and
5 any reference to a provision of section 1370 of this title
6 shall be deemed to be a reference to the analogous provi-
7 sion of this section.

8 “(f) FINAL RETIREMENT GRADE FOLLOWING RESO-
9 LUTION OF PENDING INVESTIGATION OR ADVERSE AC-
10 TION.—The final retirement grade under this section of
11 a person described in subsection (e) following resolution
12 of the investigation or personnel action concerned is the
13 final retirement grade provided for by section 1370(e) of
14 this title. In the application of such section 1370(e) for
15 purposes of this subsection, any reference to a provision
16 of section 1370 of this title shall be deemed to be a ref-
17 erence to the analogous provision of this section. In the
18 application of paragraph (3) of such section 1370e(e) for
19 purposes of this subsection, the reference to ‘chapter 71’
20 of this title shall be deemed to be a reference to ‘chapter
21 1223 of this title’.

22 “(g) FINALITY OF RETIRED GRADE DETERMINA-
23 TIONS.—

24 “(1) IN GENERAL.—Except for a conditional
25 determination authorized by subsection (e), a deter-

1 mination of the retired grade of a person pursuant
2 to this section is administratively final on the day
3 the person is retired, and may not be reopened.

4 “(2) REOPENING.—A determination of the re-
5 tired grade of a person may be reopened in accord-
6 ance with applicable provisions of section 1370(f) of
7 this title. In the application of such section 1370(f)
8 for purposes of this subsection, any reference to a
9 provision of section 1370 of this title shall be
10 deemed to be a reference to the analogous provision
11 of this section. In the application of paragraph (7)
12 of such section 1370(f) for purposes of this para-
13 graph, the reference to ‘chapter 71 of this title’ shall
14 be deemed to be a reference to ‘chapter 1223 of this
15 title’.

16 “(h) HIGHEST PERMANENT GRADE DEFINED.—In
17 this section, the term ‘highest permanent grade’ means a
18 grade at or below the grade of major general in the Army,
19 Air Force, or Marine Corps or rear admiral in the Navy.”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions at the beginning of chapter 69 of title 10,
22 United States Code, is amended by striking the item
23 relating to section 1370 and inserting the following
24 new items:

“1370. Regular commissioned officers.

“1370a. Officers entitled to retired pay for non-regular service.”.

1 (b) CONFORMING AND TECHNICAL AMENDMENTS TO
2 RETIRED GRADE RULES FOR THE ARMED FORCES.—

3 (1) RETIRED PAY.—Title 10, United States
4 Code, is amended as follows:

5 (A) In section 1406(b)(2), by striking
6 “section 1370(d)” and inserting “section
7 1370a”.

8 (B) In section 1407(f)(2)(B), by striking
9 “by reason of denial of a determination or cer-
10 tification under section 1370” and inserting
11 “pursuant to section 1370 or 1370a”.

12 (2) ARMY.—Section 7341 of such title is
13 amended—

14 (A) by striking subsection (a) and insert-
15 ing the following new subsection (a):

16 “(a)(1) The retired grade of a regular commissioned
17 officer of the Army who retires other than for physical
18 disability is determined under section 1370 of this title.

19 “(2) The retired grade of a reserve commissioned of-
20 ficer of the Army who retires other than for physical dis-
21 ability is determined under section 1370a of this title.”;
22 and

23 (B) in subsection (b)—

24 (i) by striking “he” and inserting “the
25 member”; and

1 (ii) by striking “his” and inserting
2 “the member’s”.

3 (3) NAVY AND MARINE CORPS.—Such title is
4 further amended as follows:

5 (A) In section 8262(a), by striking “sec-
6 tions 689 and 1370” and inserting “section
7 689, and section 1370 or 1370a (as applica-
8 ble),”.

9 (B) In section 8323(e), by striking “sec-
10 tion 1370 of this title” and inserting “section
11 1370 or 1370a of this title, as applicable”.

12 (4) AIR FORCE AND SPACE FORCE.—Section
13 9341 of such title is amended—

14 (A) by striking subsection (a) and insert-
15 ing the following new subsection (a):

16 “(a)(1) The retired grade of a regular commissioned
17 officer of the Air Force or the Space Force who retires
18 other than for physical disability is determined under sec-
19 tion 1370 of this title.

20 “(2) The retired grade of a reserve commissioned of-
21 ficer of the Air Force or the Space Force who retires other
22 than for physical disability is determined under section
23 1370a of this title.”; and

24 (B) in subsection (b)—

1 (i) by inserting “or a Regular or Re-
2 serve of the Space Force” after “Air
3 Force”;

4 (ii) by striking “he” and inserting
5 “the member”; and

6 (iii) by striking “his” and inserting
7 “the member’s”.

8 (5) RESERVE OFFICERS.—Section 12771 of
9 such title is amended—

10 (A) in subsection (a), by striking “section
11 1370(d)” and inserting “section 1370a of this
12 title”; and

13 (B) in subsection (b)(1), by striking “sec-
14 tion 1370(d)” and inserting “section 1370a”.

15 (c) OTHER REFERENCES.—In the determination of
16 the retired grade of a commissioned officer of the Armed
17 Forces entitled to retired pay under chapter 1223 of title
18 10, United States Code, who retires after the date of the
19 enactment of this Act, any reference in a provision of law
20 or regulation to section 1370 of title 10, United States
21 Code, in such determination with respect to such officer
22 shall be deemed to be a reference to section 1370a of title
23 10, United States Code (as amended by subsection (a)).

1 **SEC. 508. REPEAL OF AUTHORITY FOR ORIGINAL APPOINT-**
 2 **MENT OF REGULAR NAVY OFFICERS DES-**
 3 **IGNATED FOR ENGINEERING DUTY, AERO-**
 4 **NAUTICAL ENGINEERING DUTY, AND SPE-**
 5 **CIAL DUTY.**

6 (a) REPEAL.—Section 8137 of title 10, United States
 7 Code, is repealed.

8 (b) CLERICAL AMENDMENT.—The table of sections
 9 at the beginning of chapter 815 of such title is amended
 10 by striking the item relating to section 8137.

11 **Subtitle B—Reserve Component**
 12 **Management**

13 **SEC. 511. EXCLUSION OF CERTAIN RESERVE GENERAL AND**
 14 **FLAG OFFICERS ON ACTIVE DUTY FROM LIM-**
 15 **ITATIONS ON AUTHORIZED STRENGTHS.**

16 (a) DUTY FOR CERTAIN RESERVE OFFICERS UNDER
 17 JOINT DUTY LIMITED EXCLUSION.—Subsection (b) of
 18 section 526a of title 10, United States Code, is amended
 19 by adding at the end the following new paragraph:

20 “(3) DUTY FOR CERTAIN RESERVE OFFI-
 21 CERS.—Of the officers designated pursuant to para-
 22 graph (1), the Chairman of the Joint Chiefs of Staff
 23 may designate up to 15 general and flag officer posi-
 24 tions in the unified and specified combatant com-
 25 mands, and up to three general and flag officer posi-
 26 tions on the Joint Staff, as positions to be held only

1 by reserve officers who are in a general or flag offi-
 2 cer grade below lieutenant general or vice admiral.
 3 Each position so designated shall be considered to be
 4 a joint duty assignment position for purposes of
 5 chapter 38 of this title.”.

6 (b) RESERVE OFFICERS ON ACTIVE DUTY FOR
 7 TRAINING OR FOR LESS THAN 180 DAYS.—Such section
 8 is further amended—

9 (1) by redesignating subsections (e) through (h)
 10 as subsections (d) through (i), respectively; and

11 (2) by inserting after subsection (b) the fol-
 12 lowing new subsection:

13 “(c) RESERVE OFFICERS ON ACTIVE DUTY FOR
 14 TRAINING OR FOR LESS THAN 180 DAYS.—The limita-
 15 tions of this section do not apply to a reserve general or
 16 flag officer who—

17 “(1) is on active duty for training; or

18 “(2) is on active duty under a call or order
 19 specifying a period of less than 180 days.”.

20 **Subtitle C—General Service** 21 **Authorities**

22 **SEC. 516. INCREASED ACCESS TO POTENTIAL RECRUITS.**

23 (a) SECONDARY SCHOOLS.—Section 503(c)(1) of title
 24 10, United States Code, is amended—

25 (1) in subparagraph (A)—

1 (A) in clause (i), by striking “and” at the
2 end;

3 (B) in clause (ii), by striking “and tele-
4 phone listings,” and all that follows through the
5 period at the end and inserting “electronic mail
6 addresses, home telephone numbers, and mobile
7 telephone numbers, notwithstanding subsection
8 (a)(5)(B) or (b) of section 444 of the General
9 Education Provisions Act (20 U.S.C. 1232g);
10 and”;

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

13 “(iii) shall provide information requested pursu-
14 ant to clause (ii) within a reasonable period of time,
15 but in no event later than 60 days after the date of
16 the request.”; and

17 (2) in subparagraph (B), by striking “and tele-
18 phone listing” and inserting “electronic mail ad-
19 dress, home telephone number, or mobile telephone
20 number”.

21 (b) INSTITUTIONS OF HIGHER EDUCATION.—Section
22 983(b) of such title is amended—

23 (1) in paragraph (1), by striking “or” at the
24 end;

25 (2) in paragraph (2)—

1 (A) in subparagraph (A), by striking “and
2 telephone listings” and inserting “electronic
3 mail addresses, home telephone numbers, and
4 mobile telephone numbers, which information
5 shall be made available not later than 60 days
6 after the start of classes for the current semes-
7 ter or not later than 60 days after the date of
8 a request, whichever is later”; and

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

11 (3) by adding at the end the following new
12 paragraph:

13 “(3) access by military recruiters for purposes
14 of military recruiting to lists of students (who are 17
15 years of age or older) not returning to the institu-
16 tion after having been enrolled during the previous
17 semester, together with student recruiting informa-
18 tion and the reason why the student did not return,
19 if collected by the institution.”.

20 **SEC. 517. TEMPORARY AUTHORITY TO ORDER RETIRED**
21 **MEMBERS TO ACTIVE DUTY IN HIGH-DE-**
22 **MAND, LOW-DENSITY ASSIGNMENTS DURING**
23 **WAR OR NATIONAL EMERGENCY.**

24 Section 688a of title 10, United States Code, is
25 amended—

1 (1) by redesignating subsection (g) as sub-
2 section (h); and

3 (2) by inserting after subsection (f) the fol-
4 lowing new subsection (g):

5 “(g) EXCEPTIONS DURING PERIODS OF WAR OR NA-
6 TIONAL EMERGENCY.—The limitations in subsections (c)
7 and (f) shall not apply during a time of war or of national
8 emergency declared by Congress or the President.”.

9 **SEC. 518. CERTIFICATE OF RELEASE OR DISCHARGE FROM**
10 **ACTIVE DUTY (DD FORM 214) MATTERS.**

11 (a) REDESIGNATION AS CERTIFICATE OF MILITARY
12 SERVICE.—

13 (1) IN GENERAL.—Department of Defense
14 Form DD 214, the Certificate of Release or Dis-
15 charge from Active Duty, is hereby redesignated as
16 the Certificate of Military Service.

17 (2) CONFORMING AMENDMENT.—Section
18 1168(a) of title 10, United States Code, is amended
19 by striking “discharge certificate or certificate of re-
20 lease from active duty, respectively,” and inserting
21 “Certificate of Military Serve”.

22 (3) REFERENCES.—Any reference in a law, reg-
23 ulation, document, paper, or other record of the
24 United States to Department of Defense Form DD
25 214, the Certificate of Release or Discharge from

1 Active Duty, shall be deemed to be a reference to
2 the Certificate of Military Service.

3 (4) TECHNICAL AMENDMENTS.—Such section
4 1168(a) is further amended—

5 (A) by striking “until his” and inserting
6 “until the member’s”;

7 (B) by striking “his final pay” and insert-
8 ing “the member’s final pay”; and

9 (C) by striking “him or his next of kin”
10 and inserting “the member or the member’s
11 next of kin”.

12 (5) EFFECTIVE DATES.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), this subsection and the
15 amendments made by this subsection shall take
16 effect on the date provided for in subsection (d)
17 of section 569 of the National Defense Author-
18 ization Act for Fiscal Year 2020 (Public Law
19 116–92), as redesignated by subsection
20 (b)(1)(B) of this section.

21 (B) TECHNICAL AMENDMENTS.—The
22 amendments made by paragraph (4) of this
23 subsection shall take effect on the date of the
24 enactment of this Act.

25 (b) ADDITIONAL REQUIREMENTS.—

1 (1) IN GENERAL.—Section 569 of the National
2 Defense Authorization Act for Fiscal Year 2020 is
3 amended—

4 (A) in subsection (a)—

5 (i) by redesignating paragraphs (1)
6 and (2) as paragraphs (2) and (4), respec-
7 tively;

8 (ii) by inserting before paragraph (2),
9 as redesignated by clause (i), the following
10 new paragraph (1);

11 “(1) redesignate such form as the Certificate of
12 Military Service;”.

13 (iii) in paragraph (2), as so redesign-
14 ated, by striking “and” at the end; and

15 (iv) by inserting after paragraph (2),
16 as so redesignated, the following new para-
17 graph:

18 “(3) provide for a standard total force record of
19 military service for all members of the Armed
20 Forces, including member of the reserve compo-
21 nents, that summarizes the record of service for each
22 member; and”;

23 (B) by redesignating subsections (b) and
24 (c) as subsections (d) and (e), respectively;

1 (C) by inserting after subsection (a) the
2 following new subsections:

3 “(b) ISSUANCE TO RESERVES.—The Secretary of De-
4 fense shall provide for the issuance of the Certificate of
5 Military Service, as modified pursuant to subsection (a),
6 to members of the reserve components of the Armed
7 Forces at such times during their military service as is
8 appropriate to facilitate their access to benefits under the
9 laws administered by the Secretary of Veterans Affairs.

10 “(c) COORDINATION.—In carrying out this section,
11 the Secretary of Defense shall coordinate with the Sec-
12 retary of Veterans Affairs to ensure that the Certificate
13 of Military Service, as modified pursuant to subsection (a),
14 is recognized as the Certificate of Military Service referred
15 to in section 1168(a) of title 10, United States Code, and
16 for the purposes of establishing eligibility for applicable
17 benefits under the laws administered by the Secretary of
18 Veterans Affairs.”; and

19 (D) in subsection (d), as redesignated by
20 subparagraph (B), by striking “a revised Cer-
21 tificate of Release or Discharge from Active
22 Duty (DD Form 214), modified” and inserting
23 “the Certificate of Military Service, as modi-
24 fied”.

1 (2) CONFORMING AMENDMENT.—The heading
2 of such section 569 is amended to read as follows:

3 **“SEC. 569. CERTIFICATE OF RELEASE OR DISCHARGE FROM**
4 **ACTIVE DUTY (DD FORM 214) MATTERS.”.**

5 (3) REPEAL OF SUPERSEDED REQUIRE-
6 MENTS.—Section 570 of the National Defense Au-
7 thorization Act for Fiscal Year 2020 is repealed.

8 **SEC. 519. EVALUATION OF BARRIERS TO MINORITY PAR-**
9 **TICIPATION IN CERTAIN UNITS OF THE**
10 **ARMED FORCES.**

11 (a) FINDINGS.—Congress makes the following find-
12 ings:

13 (1) In 1999, the RAND Corporation issued a
14 report entitled “Barriers to Minority Participation in
15 Special Operations Forces” that was sponsored by
16 United States Special Operations Command.

17 (2) In 2018, the RAND Corporation issued a
18 report entitles “Understanding Demographic Dif-
19 ferences in Undergraduate Pilot Training Attrition”
20 that was sponsored by the Air Force.

21 (3) No significant independent study has been
22 performed by a federally funded research and devel-
23 opment center into increasing minority participation
24 in the special operations forces since 1999.

25 (b) STUDY REQUIRED.—

1 (1) IN GENERAL.—Not later than 30 days after
2 the date of the enactment of this Act, the Secretary
3 of Defense shall, acting through the Under Sec-
4 retary of Defense for Personnel and Readiness, seek
5 to enter into an agreement with a federally funded
6 research and development center.

7 (2) ELEMENTS.—The evaluation under para-
8 graph (1) shall include the following elements:

9 (A) A description of the racial, ethnic, and
10 gender composition of covered units.

11 (B) A comparison of the participation
12 rates of minority populations in covered units to
13 participation rates of the general population as
14 members and as officers of the Armed Forces.

15 (C) A comparison of the percentage of mi-
16 nority officers in the grade of O-7 or higher
17 who have served in each covered unit to such
18 percentage for all such officers in the Armed
19 Force of that covered unit.

20 (D) An identification of barriers to minor-
21 ity participation in the accession, assessment,
22 and training processes.

23 (E) The status and effectiveness of the re-
24 sponse to the recommendations contained in the

1 report referred to in subsection (a)(1) and any
2 follow-up recommendations.

3 (F) Recommendations to increase the num-
4 bers of minority officers in the Armed Forces.

5 (G) Recommendations to increase minority
6 participation in covered units.

7 (H) Any other matters the Secretary deter-
8 mines appropriate.

9 (3) REPORT TO CONGRESS.—The Secretary
10 shall—

11 (A) submit to the congressional defense
12 committees a report on the results of the study
13 by not later than January 1, 2022; and

14 (B) provide interim briefings to such com-
15 mittees upon request.

16 (c) DESIGNATION.—The study conducted under sub-
17 section (b) shall be known as the “Study on Reducing Bar-
18 riers to Minority Participation in Elite Units in the Armed
19 Services”.

20 (d) IMPLEMENTATION PLAN.—The Secretary shall
21 submit to the congressional defense committees a report
22 setting forth an implementation plan for the recommenda-
23 tions that the Secretary implements under this section, in-
24 cluding—

1 (1) the response of the Secretary to each such
2 recommendation;

3 (2) a summary of actions the Secretary has car-
4 ried out, or intends to carry out, to implement such
5 recommendations, as appropriate; and

6 (3) a schedule, with specific milestones, for
7 completing the implementation of such recommenda-
8 tions.

9 (e) COVERED UNITS DEFINED.—In this section, the
10 term “covered units” means the following:

11 (1) Any forces designated by the Secretary as
12 special operations forces.

13 (2) Air Force Combat Control Teams.

14 (3) Air Force Pararescue.

15 (4) Marine Corps Force Reconnaissance.

16 (5) Coast Guard Deployable Operations Group.

17 (6) Pilot and navigator military occupational
18 specialties.

19 **SEC. 520. REPORTS ON DIVERSITY AND INCLUSION IN THE**
20 **ARMED FORCES.**

21 (a) REPORT ON FINDINGS OF DEFENSE BOARD ON
22 DIVERSITY AND INCLUSION IN THE MILITARY.—

23 (1) IN GENERAL.—Upon the completion by the
24 Defense Board on Diversity and Inclusion in the
25 Military of its report on actionable recommendations

1 to increase racial diversity and ensure equal oppor-
2 tunity across all grades of the Armed Forces, the
3 Secretary of Defense shall submit to the Committee
4 on Armed Services of the Senate and the House of
5 Representatives a report on the report of the De-
6 fense Board, including the findings and rec-
7 ommendations of the Defense Board.

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

10 (A) A comprehensive description of the
11 findings and recommendations of the Defense
12 Board in its report referred to in paragraph
13 (1).

14 (B) A comprehensive description of any ac-
15 tionable recommendations of the Defense Board
16 in its report.

17 (C) A description of the actions proposed
18 to be undertaken by the Secretary in connection
19 with such recommendations, and a timeline for
20 implementation of such actions.

21 (D) A description of the resources used by
22 the Defense Board for its report, and a descrip-
23 tion and assessment of any shortfalls in such
24 resources for purposes of the Defense Board.

1 (b) REPORT ON DEFENSE ADVISORY COMMITTEE ON
2 DIVERSITY AND INCLUSION IN THE ARMED FORCES.—

3 (1) IN GENERAL.—At the same time the Sec-
4 retary of Defense submits the report required by
5 subsection (a), the Secretary shall also submit to the
6 Committee on Armed Services of the Senate and the
7 House of Representatives a report on the Defense
8 Advisory Committee on Diversity and Inclusion in
9 the Armed Forces.

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

12 (A) The mission statement or purpose of
13 the Advisory Committee, and any proposed ob-
14 jectives and goals of the Advisory Committee.

15 (B) A description of current members of
16 the Advisory Committee and the criteria used
17 for selecting members.

18 (C) A description of the duties and scope
19 of activities of the Advisory Committee.

20 (D) The reporting structure of the Advi-
21 sory Committee.

22 (E) An estimate of the annual operating
23 costs and staff years of the Advisory Com-
24 mittee.

1 (F) An estimate of the number and fre-
2 quency of meetings of the Advisory Committee.

3 (G) Any subcommittees, established or pro-
4 posed, that would support the Advisory Com-
5 mittee.

6 (H) Such recommendations for legislative
7 or administrative action as the Secretary con-
8 siders appropriate to extend the term of the Ad-
9 visory Committee beyond the proposed termi-
10 nation date of the Advisory Committee.

11 (c) REPORT ON CURRENT DIVERSITY AND INCLU-
12 SION IN THE ARMED FORCES.—

13 (1) IN GENERAL.—At the same time the Sec-
14 retary of Defense submits the reports required by
15 subsections (a) and (b), the Secretary shall also sub-
16 mit to the Committee on Armed Services of the Sen-
17 ate and the House of Representatives a report on
18 current diversity and inclusion in the Armed Forces.

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

21 (A) An identification of the current racial,
22 ethnic, and sex composition of each Armed
23 Force generally.

1 (B) An identification of the current racial,
2 ethnic, and sex composition of each Armed
3 Force by grade.

4 (C) A comparison of the participation rates
5 of minority populations in officer grades, war-
6 rant officer grades, and enlisted member grades
7 in each Armed Force with the percentage of
8 such populations among the general population.

9 (D) A comparison of the participation
10 rates of minority populations in each career
11 field in each Armed Force with the percentage
12 of such populations among the general popu-
13 lation.

14 (E) A comparison among the Armed
15 Forces of the percentage of minority popu-
16 lations in each officer grade above grade O-4.

17 (F) A comparison among the Armed
18 Forces of the percentage of minority popu-
19 lations in each enlisted grade above grade E-6.

20 (G) A description and assessment of bar-
21 riers to minority participation in the Armed
22 Forces in connection with accession, assess-
23 ment, and training.

24 (d) SENSE OF SENATE ON DEFENSE ADVISORY COM-
25 MITTEE ON DIVERSITY AND INCLUSION IN THE ARMED

1 FORCES.—It is the sense of the Senate that the Defense
2 Advisory Committee on Diversity and Inclusion in the
3 Armed Forces—

4 (1) should consist of diverse group of individ-
5 uals, including—

6 (A) a general or flag officer from each reg-
7 ular component of the Armed Forces;

8 (B) a retired general or flag officer from
9 not fewer than two of the Armed Forces;

10 (C) a regular officer of the Armed Forces
11 in a grade O–5 or lower;

12 (D) a regular enlisted member of the
13 Armed Forces in a grade E–7 or higher;

14 (E) a regular enlisted member of the
15 Armed Forces in a grade E–6 or lower;

16 (F) a member of a reserve component of
17 the Armed Forces in any grade;

18 (G) a member of the Department of De-
19 fense civilian workforce;

20 (H) an member of the academic commu-
21 nity with expertise in diversity studies; and

22 (I) an individual with appropriate expertise
23 in diversity and inclusion;

24 (2) should include individuals from a variety of
25 military career paths, including—

- 1 (A) aviation;
- 2 (B) special operations;
- 3 (C) intelligence;
- 4 (D) cyber;
- 5 (E) space; and
- 6 (F) surface warfare;

7 (3) should have a membership such that not
8 fewer than 20 percent of members possess—

9 (A) a firm understanding of the role of
10 mentorship and best practices in finding and
11 utilizing mentors;

12 (B) experience and expertise in change of
13 culture of large organizations; or

14 (C) experience and expertise in implemen-
15 tation science; and

16 (4) should focus on objectives that address—

17 (A) barriers to promotion within the
18 Armed Forces, including development of rec-
19 ommendations on mechanisms to enhance and
20 increase racial diversity and ensure equal op-
21 portunity across all grades in the Armed
22 Forces;

23 (B) participation of minority officers and
24 senior noncommissioned officers in the Armed
25 Forces, including development of recommenda-

1 tions on mechanisms to enhance and increase
2 such participation;

3 (C) recruitment of minority candidates for
4 innovative pre-service programs in the Junior
5 Reserve Officers' Training Corps (JROTC),
6 Senior Reserve Officers' Training Corps
7 (SROTC), and military service academies, in-
8 cluding programs in connection with flight in-
9 struction, special operations, and national secu-
10 rity, including development of recommendations
11 on mechanisms to enhance and increase such
12 recruitment;

13 (D) retention of minority individuals in
14 senior leadership and mentorship positions in
15 the Armed Forces, including development of
16 recommendations on mechanisms to enhance
17 and increase such retention; and

18 (E) achievement of cultural and ethnic di-
19 versity in recruitment for the Armed Forces, in-
20 cluding development of recommendations on
21 mechanisms to enhance and increase such di-
22 versity in recruitment.

1 **Subtitle D—Military Justice and**
2 **Related Matters**

3 **PART I—INVESTIGATION, PROSECUTION, AND**
4 **DEFENSE OF SEXUAL ASSAULT AND RE-**
5 **LATED MATTERS**

6 **SEC. 521. MODIFICATION OF TIME REQUIRED FOR EXPE-**
7 **DITED DECISIONS IN CONNECTION WITH AP-**
8 **PLICATIONS FOR CHANGE OF STATION OR**
9 **UNIT TRANSFER OF MEMBERS WHO ARE VIC-**
10 **TIMS OF SEXUAL ASSAULT OR RELATED OF-**
11 **FENSES.**

12 (a) **IN GENERAL.**—Section 673(b) of title 10, United
13 States Code, is amended by striking “72 hours” both
14 places it appears and inserting “five calendar days”.

15 (b) **EFFECTIVE DATE.**—The amendments made by
16 subsection (a) shall take effect on the date of the enact-
17 ment of this Act, and shall apply to decisions on applica-
18 tions for permanent change of station or unit transfer
19 made under section 673 of title 10, United States Code,
20 on or after that date.

21 **SEC. 522. DEFENSE ADVISORY COMMITTEE FOR THE PRE-**
22 **VENTION OF SEXUAL MISCONDUCT.**

23 Section 550B of the National Defense Authorization
24 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
25 ed—

1 (1) in subsection (c)(1)(B), by inserting “, in-
2 cluding the United States Coast Guard Academy,”
3 after “academy”;

4 (2) by redesignating subsections (d), (e), and
5 (f) as subsections (e), (f), and (g), respectively;

6 (3) by inserting after subsection (c) the fol-
7 lowing new subsection (d):

8 “(d) ADVISORY DUTIES ON COAST GUARD ACAD-
9 EMY.—In providing advice under subsection (c)(1)(B), the
10 Advisory Committee shall also advise the Secretary of the
11 Department in which the Coast Guard is operating in ac-
12 cordance with this section on policies, programs, and prac-
13 tices of the United States Coast Guard Academy.”; and

14 (4) in subsection (e) and paragraph (2) of sub-
15 section (g), as redesignated by paragraph (2) of this
16 section, by striking “the Committees on Armed Serv-
17 ices of the Senate and the House of Representa-
18 tives” each place it appears and inserting “the Com-
19 mittees on Armed Services and Commerce, Science,
20 and Transportation of the Senate and the Commit-
21 tees on Armed Services and Transportation and In-
22 frastructure of the House of Representatives”.

1 **SEC. 523. REPORT ON ABILITY OF SEXUAL ASSAULT RE-**
2 **SPONSE COORDINATORS AND SEXUAL AS-**
3 **SAULT PREVENTION AND RESPONSE VICTIM**
4 **ADVOCATES TO PERFORM DUTIES.**

5 (a) SURVEY.—

6 (1) IN GENERAL.—Not later than June 30,
7 2021, the Secretary of Defense shall conduct a sur-
8 vey regarding the ability of Sexual Assault Response
9 Coordinators and Sexual Assault Prevention and Re-
10 sponse Victim Advocates to perform their duties.

11 (2) ELEMENTS.—The survey required under
12 paragraph (1) shall assess—

13 (A) the current state of support provided
14 to Sexual Assault Response Coordinators and
15 Sexual Assault Prevention and Response Victim
16 Advocates, including—

17 (i) perceived professional or other re-
18 prisal or retaliation; and

19 (ii) access to sufficient physical and
20 mental health services as a result of the
21 nature of their work;

22 (B) the ability of Sexual Assault Response
23 Coordinators and Sexual Assault Prevention
24 and Response Victim Advocates to contact and
25 access their installation commander or unit
26 commander;

1 (C) the ability of Sexual Assault Response
2 Coordinators and Sexual Assault Prevention
3 and Response Victim Advocates to contact and
4 access the immediate commander of victims and
5 alleged offenders;

6 (D) the responsiveness and receptiveness of
7 commanders to the Sexual Assault Response
8 Coordinators;

9 (E) the support and services provided to
10 victims of sexual assault;

11 (F) the understanding of others of the
12 process and their willingness to assist;

13 (G) the adequacy of the training received
14 by Sexual Assault Response Coordinators and
15 Sexual Assault Prevention and Response Victim
16 Advocates to effectively perform their duties;
17 and

18 (H) any other factors affecting the ability
19 of Sexual Assault Response Coordinators and
20 Sexual Assault Prevention and Response Victim
21 Advocates to perform their duties.

22 (b) REPORT.—Upon completion of the survey re-
23 quired under subsection (a), the Secretary of Defense shall
24 submit to the Committees on Armed Services of the Sen-
25 ate and the House of Representatives a report on the re-

1 sults of the survey and any actions to be taken as a result
2 of the survey.

3 **SEC. 524. BRIEFING ON SPECIAL VICTIMS' COUNSEL PRO-**
4 **GRAM.**

5 (a) BRIEFING REQUIRED.—Not later than 180 days
6 after the date of the enactment of this Act, the Judge Ad-
7 vocates General of the Army, the Navy, the Air Force,
8 and the Coast Guard, and the Staff Judge Advocate to
9 the Commandant of the Marine Corps shall each provide
10 to the congressional defense committees a briefing on the
11 status of the Special Victims' Counsel program of the
12 Armed Force concerned.

13 (b) ELEMENTS.—Each briefing under subsection (a)
14 shall include, with respect to the Special Victims Counsel
15 program of the Armed Force concerned, the following:

16 (1) An assessment of whether the Armed Force
17 is in compliance with the provisions of the National
18 Defense Authorization Act for Fiscal Year 2020
19 (Public Law 116–92) relating to the Special Victims
20 Counsel program and, if not, what steps have been
21 taken to achieve compliance with such provisions.

22 (2) An estimate of the average caseload of each
23 Special Victims' Counsel.

24 (3) A description of any staffing shortfalls in
25 the Special Victims' Counsel program or other pro-

1 grams of the Armed Force resulting from the addi-
2 tional responsibilities required of the Special Vic-
3 tims' Counsel program under the National Defense
4 Authorization Act for Fiscal Year 2020.

5 (4) An explanation of the ability of Special Vic-
6 tims' Counsel to adhere to requirement that a coun-
7 sel respond to a request for services within 72 hours
8 of receiving such request.

9 (5) An assessment of the feasibility of providing
10 cross-service Special Victims' Counsel representation
11 in instances where a Special Victims' Counsel from
12 a different Armed Force is co-located with a victim
13 at a remote base.

14 **SEC. 525. ACCOUNTABILITY OF LEADERSHIP OF THE DE-**
15 **PARTMENT OF DEFENSE FOR DISCHARGING**
16 **THE SEXUAL HARASSMENT POLICIES AND**
17 **PROGRAMS OF THE DEPARTMENT.**

18 (a) STRATEGY ON HOLDING LEADERSHIP ACCOUNT-
19 ABLE REQUIRED.—The Secretary of Defense shall develop
20 and implement Department of Defense-wide a strategy to
21 hold individuals in positions of leadership in the Depart-
22 ment (including members of the Armed Forces and civil-
23 ians) accountable for the promotion, support, and enforce-
24 ment of the policies and programs of the Department on
25 sexual harassment.

1 (b) OVERSIGHT FRAMEWORK.—

2 (1) IN GENERAL.—The strategy required by
3 subsection (a) shall provide for an oversight frame-
4 work for the efforts of the Department of Defense
5 to promote, support, and enforce the policies and
6 programs of the Department on sexual harassment.

7 (2) ELEMENTS.—The oversight framework re-
8 quired by paragraph (1) shall include the following:

9 (A) Long-term goals, objectives, and mile-
10 stones in connection with the policies and pro-
11 grams of the Department on sexual harass-
12 ment.

13 (B) Strategies to achieve the goals, objec-
14 tives, and milestones referred to in subpara-
15 graph (A).

16 (C) Criteria for assessing progress toward
17 the achievement of the goals, objectives, and
18 milestones referred to in subparagraph (A).

19 (D) Criteria for assessing the effectiveness
20 of the policies and programs of the Department
21 on sexual harassment.

22 (E) Mechanisms to ensure that adequate
23 resources are available to the Office to develop
24 and discharge the oversight framework.

1 misconduct or its impact on good order and discipline for
2 purposes of the safe-to-report policy.

3 (d) TRACKING OF COLLATERAL MISCONDUCT INCI-
4 DENTS.—In conjunction with the issuance of regulations
5 under subsection (a), Secretary shall develop and imple-
6 ment a process to track incidents of minor collateral mis-
7 conduct that are subject to the safe-to-report policy.

8 (e) DEFINITIONS.—In this section:

9 (1) The term “Armed Forces” has the meaning
10 given that term in section 101(a)(4) of title 10,
11 United States Code, except such term does not in-
12 clude the Coast Guard.

13 (2) The term “military service academy” means
14 the following:

15 (A) The United States Military Academy.

16 (B) The United States Naval Academy.

17 (C) The United States Air Force Academy.

18 (3) The term “minor collateral misconduct”
19 means any minor misconduct that is potentially pun-
20 ishable under chapter 47 of title 10, United States
21 Code (the Uniform Code of Military Justice), that—

22 (A) is committed close in time to or during
23 the sexual assault, and directly related to the
24 incident that formed the basis of the sexual as-
25 sault allegation;

1 (B) is discovered as a direct result of the
2 report of sexual assault or the ensuing inves-
3 tigation into the sexual assault; and

4 (C) does not involve aggravating cir-
5 cumstances (as specified in the regulations pre-
6 scribed under subsection (c)) that increase the
7 gravity of the minor misconduct or its impact
8 on good order and discipline.

9 **SEC. 527. ADDITIONAL BASES FOR PROVISION OF ADVICE**
10 **BY THE DEFENSE ADVISORY COMMITTEE**
11 **FOR THE PREVENTION OF SEXUAL MIS-**
12 **CONDUCT.**

13 Section 550B(c)(2) of the National Defense Author-
14 ization Act for Fiscal Year 2020 (Public Law 116–92) is
15 amended—

16 (1) by redesignating subparagraph (C) as sub-
17 paragraph (E); and

18 (2) by inserting after subparagraph (B) the fol-
19 lowing new subparagraphs:

20 “(C) Efforts among private employers to
21 prevent sexual assault and sexual harassment
22 among their employees.

23 “(D) Evidence-based studies on the pre-
24 vention of sexual assault and sexual harassment

1 in the Armed Forces, institutions of higher edu-
2 cation, and the private sector.”.

3 **SEC. 528. ADDITIONAL MATTERS FOR REPORTS OF THE DE-**
4 **FENSE ADVISORY COMMITTEE FOR THE PRE-**
5 **VENTION OF SEXUAL MISCONDUCT.**

6 Section 550B(d) of the National Defense Authoriza-
7 tion Act for Fiscal Year 2020 (Public Law 116–92) is
8 amended by adding at the end the following: “The report
9 shall include the following:

10 “(1) A description and assessment of the extent
11 and effectiveness of the inclusion by the Armed
12 Forces of sexual assault prevention and response
13 training in leader professional military education
14 (PME), especially in such education for personnel in
15 junior noncommissioned officer grades.

16 “(2) An assessment of the feasibility of—

17 “(A) the screening of recruits before entry
18 into military service for prior incidents of sexual
19 assault and harassment, including through
20 background checks; and

21 “(B) the administration of screening tests
22 to recruits to assess recruit views and beliefs on
23 equal opportunity, and whether such views and
24 beliefs are compatible with military service.

1 “(3) An assessment of the feasibility of con-
2 ducting exit interviews of members of the Armed
3 Forces upon their discharge release from the Armed
4 Forces in order to determine whether they experi-
5 enced or witnessed sexual assault or harassment
6 during military service and did not report it, and an
7 assessment of the feasibility of combining such exit
8 interviews with the Catch a Serial Offender
9 (CATCH) Program of the Department of Defense.

10 “(4) An assessment whether the sexual assault
11 reporting databases of the Department are suffi-
12 ciently anonymized to ensure privacy while still pro-
13 viding military leaders with the information as fol-
14 lows:

15 “(A) The approximate length of time the
16 victim and the assailant had been at the duty
17 station at which the sexual assault occurred.

18 “(B) The percentage of sexual assaults oc-
19 curring while the victim or assailant were on
20 temporary duty, leave, or otherwise away from
21 their permanent duty station.

22 “(C) The number of sexual assaults that
23 involve an abuse of power by a commander or
24 supervisor.”.

1 **SEC. 529. POLICY ON SEPARATION OF VICTIM AND AC-**
2 **CUSED AT MILITARY SERVICE ACADEMIES**
3 **AND DEGREE-GRANTING MILITARY EDU-**
4 **CATIONAL INSTITUTIONS.**

5 (a) IN GENERAL.—The Secretary of Defense shall,
6 in consultation with the Secretaries of the military depart-
7 ments, the Superintendent of each military service acad-
8 emy, and the head of each degree-granting military edu-
9 cational institution, prescribe in regulations a policy under
10 which association between a cadet or midshipman of a
11 military service academy, or a member of the Armed
12 Forces enrolled in a degree-granting military educational
13 institution, who is the alleged victim of a sexual assault
14 and the accused is minimized while both parties complete
15 their course of study at the academy or institution con-
16 cerned.

17 (b) ELEMENTS.—The Secretary of Defense shall en-
18 sure that the policy developed under subsection (a)—

19 (1) is fair to the both the alleged victim and the
20 accused;

21 (2) provides for the confidentiality of the par-
22 ties involved;

23 (3) provide that notice of the policy, including
24 the elements of the policy and the right to opt out
25 of coverage by the policy, is provided to the alleged

1 victim upon the making of an allegation of a sexual
2 assault covered by the policy; and

3 (4) provide an alleged victim the right to opt
4 out of coverage by the policy in connection with such
5 sexual assault.

6 (c) **MILITARY SERVICE ACADEMY DEFINED.**—The
7 term “military service academy” means the following:

8 (1) The United States Military Academy.

9 (2) The United States Naval Academy.

10 (3) The United States Air Force Academy.

11 (4) The United States Coast Guard Academy.

12 **SEC. 530. BRIEFING ON PLACEMENT OF MEMBERS OF THE**
13 **ARMED FORCES IN ACADEMIC STATUS WHO**
14 **ARE VICTIMS OF SEXUAL ASSAULT ONTO**
15 **NON-RATED PERIODS.**

16 Not later than 90 days after the date of the enact-
17 ment of this Act, the Secretary of Defense shall brief the
18 Committees on Armed Services of the Senate and the
19 House of Representatives on the feasibility and advis-
20 ability, and current practice (if any), of the Department
21 of Defense of granting requests by members of the Armed
22 Forces who are in academic status (whether at the mili-
23 tary service academies or in developmental education pro-
24 grams) and who are victims of sexual assault to be placed
25 on a Non-Rated Period for their performance report.

1 **PART II—OTHER MILITARY JUSTICE MATTERS**

2 **SEC. 531. RIGHT TO NOTICE OF VICTIMS OF OFFENSES**

3 **UNDER THE UNIFORM CODE OF MILITARY**
4 **JUSTICE REGARDING CERTAIN POST-TRIAL**
5 **MOTIONS, FILINGS, AND HEARINGS.**

6 Section 806b(a)(2) of title 10, United States Code
7 (article 6b(a)(2)) of the Uniform Code of Military Jus-
8 tice), is amended—

9 (1) by redesignating subparagraphs (D) and
10 (E) as subparagraphs (E) and (F), respectively; and

11 (2) by inserting after subparagraph (C) the fol-
12 lowing new subparagraph (D):

13 “(D) A post-trial motion, filing, or hearing
14 that may address the finding or sentence of a
15 court-martial with respect to the accused,
16 unseal privileged or private information of the
17 victim, or result in the release of the accused.”.

18 **SEC. 532. CONSIDERATION OF THE EVIDENCE BY COURTS**

19 **OF CRIMINAL APPEALS.**

20 (a) IN GENERAL.—Section 866 of title 10, United
21 States Code (article 66 of the Uniform Code of Military
22 Justice), is amended—

23 (1) by redesignating subsections (e) through (j)
24 as subsections (f) through (k), respectively; and

25 (2) by inserting after subsection (d) the fol-
26 lowing new subsection (e):

1 “(e) CONSIDERATION OF THE EVIDENCE.—

2 “(1) IN GENERAL.—In an appeal of a finding
3 of guilty under subsection (b), the Court of Criminal
4 Appeals, upon request of the accused, may consider
5 the weight of the evidence upon a specific showing
6 by the accused of deficiencies in proof. The Court
7 may set aside and dismiss a finding if clearly con-
8 vinced that the finding was against the weight of the
9 evidence. The Court may affirm a lesser finding. A
10 rehearing may not be ordered.

11 “(2) DEFERENCE IN CONSIDERATION.—When
12 considering a case under subsection (b), the Court
13 may weigh the evidence and determine controverted
14 questions of fact, subject to—

15 “(A) appropriate deference to the fact that
16 the court-martial saw and heard the witnesses
17 and other evidence; and

18 “(B) appropriate deference to findings of
19 fact entered into the record by the military
20 judge.”.

21 (b) ADDITIONAL QUALIFICATIONS OF APPELLATE
22 MILITARY JUDGES.—Subsection (a) of such section (arti-
23 cle) is amended—

24 (1) by inserting “(1)” before “Each judge”;
25 and

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

3 “(2)(A) In addition to any other qualifications speci-
4 fied in paragraph (1), any commissioned officer assigned
5 as an appellate military judge to a Court of Criminal Ap-
6 peals shall have not fewer than 12 years of experience in
7 military justice assignments before such assignment, and
8 any civilian so assigned shall have not fewer than 12 years
9 as a judge or criminal trial attorney before such assign-
10 ment.

11 “(B) A Judge Advocate General may waive the re-
12 quirement in subparagraph (A) in connection with the as-
13 signment of an officer or civilian as an appellate military
14 judge of a Court of Criminal Appeals if the Judge Advo-
15 cate General determines that compliance with the require-
16 ment in the assignment of appellate military judges to a
17 Court of Criminal Appeals will impair the ability of the
18 Court to hear and decide appeals in a timely manner.

19 “(C) Not later than 120 days after waiving the re-
20 quirement in subparagraph (A) pursuant to subparagraph
21 (B), the Judge Advocate General shall notify the congres-
22 sional defense committees of the waiver, and include with
23 the notice an explanation for the shortage of appellate
24 military judges and a plan for addressing such shortage.”.

1 (c) REVIEW BY FULL COURT OF FINDING OF CON-
2 VICTION AGAINST WEIGHT OF EVIDENCE.—Subsection
3 (e) of such section (article), as amended by subsection (a)
4 of this section, is further is amended by adding at the end
5 the following new paragraph:

6 “(3) REVIEW BY FULL COURT OF FINDING OF
7 CONVICTION AGAINST WEIGHT OF EVIDENCE.—Any
8 determination by the Court that a finding was clear-
9 ly against the weight of the evidence under para-
10 graph (1) shall be reviewed by the Court sitting as
11 a whole.”.

12 **SEC. 533. PRESERVATION OF RECORDS OF THE MILITARY**
13 **JUSTICE SYSTEM.**

14 Section 940a of title 10, United States Code (article
15 140a of the Uniform Code of Military Justice), is amended
16 by adding at the end the following new subsection:

17 “(d) PRESERVATION OF RECORDS WITHOUT RE-
18 GARD TO OUTCOME.—The standards and criteria pre-
19 scribed established by the Secretary of Defense under sub-
20 section (a) shall provide for the preservation of records,
21 without regard to the outcome of the proceeding con-
22 cerned, for not fewer than 15 years.”.

1 **SEC. 534. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORT ON IMPLEMENTATION BY**
3 **THE ARMED FORCES OF RECENT GAO REC-**
4 **COMMENDATIONS AND STATUTORY REQUIRE-**
5 **MENTS ON ASSESSMENT OF RACIAL, ETHNIC,**
6 **AND GENDER DISPARITIES IN THE MILITARY**
7 **JUSTICE SYSTEM.**

8 (a) **REPORT REQUIRED.**—The Comptroller General
9 of the United States shall submit to the Committees on
10 Armed Services of the Senate and the House of Represent-
11 atives a report, in writing, on a study, conducted by the
12 Comptroller General for purposes of the report, on the im-
13 plementation by the Armed Forces of the following:

14 (1) The recommendations in the May 2019 re-
15 port of the General Accountability Office entitled
16 “Military Justice: DOD and the Coast Guard Need
17 to Improve Their Capabilities to Assess Racial and
18 Gender Disparities” (GAO–19–344).

19 (2) Requirements in section 540I(b) of the Na-
20 tional Defense Authorization Act for Fiscal Year
21 2020 (Public Law 116–92), relating to assessments
22 covered by such recommendations.

23 (b) **ELEMENTS.**—The report required by subsection
24 (a) shall include, for each recommendation and require-
25 ment specified in that subsection, the following:

1 (1) A description of the actions taken or
2 planned by the Department of Defense, the military
3 department concerned, or the Armed Force con-
4 cerned to implement such recommendation or re-
5 quirement.

6 (2) An assessment of the extent to which the
7 actions taken to implement such recommendation or
8 requirement, as described pursuant to paragraph
9 (1), are effective or meet the intended objective.

10 (3) Any other matters in connection with such
11 recommendation or requirement, and the implemen-
12 tation of such recommendation or requirement by
13 the Armed Forces, that the Comptroller General
14 considers appropriate.

15 (c) BRIEFINGS.—Not later than May 1, 2021, the
16 Comptroller General shall provide the committees referred
17 to in subsection (a) one or more briefings on the status
18 of the study required by that subsection, including any
19 preliminary findings and recommendations of the Comp-
20 troller General as a result of the study as of the date of
21 such briefing.

1 **SEC. 535. BRIEFING ON MENTAL HEALTH SUPPORT FOR VI-**
2 **CARIOUS TRAUMA FOR CERTAIN PERSONNEL**
3 **IN THE MILITARY JUSTICE SYSTEM.**

4 (a) **BRIEFING REQUIRED.**—Not later than 180 days
5 after the date of the enactment of this Act, the Judge Ad-
6 vocates General of the Army, the Navy, and the Air Force
7 and the Staff Judge Advocate to the Commandant of the
8 Marine Corps shall jointly brief the Committees on Armed
9 Services of the Senate and the House of Representatives
10 on the mental health support for vicarious trauma pro-
11 vided to personnel in the military justice system specified
12 in subsection (b).

13 (b) **PERSONNEL.**—The personnel specified in this
14 subsection are the following:

- 15 (1) Trial counsel.
- 16 (2) Defense counsel.
- 17 (3) Special Victims' Counsel.
- 18 (4) Military investigative personnel.

19 (c) **ELEMENTS.**—The briefing required by subsection
20 (a) shall include the following:

- 21 (1) A description and assessment of the mental
22 health support for vicarious trauma provided to per-
23 sonnel in the military justice system specified in sub-
24 section (b), including a description of the support
25 services available and the support services being
26 used.

1 (2) A description and assessment of mecha-
2 nisms to eliminate or reduce stigma in the pursuit
3 by such personnel of such mental health support.

4 (3) An assessment of the feasibility and advis-
5 ability of providing such personnel with breaks be-
6 tween assignments or cases as part of such mental
7 health support in order to reduce the effects of vi-
8 carious trauma.

9 (4) A description and assessment of the extent,
10 if any, to which duty of such personnel on particular
11 types of cases, or in particular caseloads, contributes
12 to vicarious trauma, and of the extent, if any, to
13 which duty on such cases or caseloads has an effect
14 on retention of such personnel in the Armed Forces.

15 (5) A description of the extent, if any, to which
16 such personnel are screened or otherwise assessed
17 for vicarious trauma before discharge or release
18 from the Armed Forces.

19 (6) Such other matters in connection with the
20 provision of mental health support for vicarious
21 trauma to such personnel as the Judge Advocates
22 General and the Staff Judge Advocate jointly con-
23 sider appropriate.

1 **SEC. 536. GUARDIAN AD LITEM PROGRAM FOR MINOR DE-**
2 **PENDENTS OF MEMBERS OF THE ARMED**
3 **FORCES.**

4 Section 540L(b)(1) of the National Defense Author-
5 ization Act for Fiscal Year 2020 (Public Law 116–92; 133
6 Stat. 1373) is amended by adding before the period at
7 the end the following: “, including an assessment of the
8 feasibility and advisability of establishing a guardian ad
9 litem program for military dependents living outside the
10 United States”.

11 **Subtitle E—Member Education,**
12 **Training, Transition, and Resil-**
13 **ience**

14 **SEC. 541. TRAINING ON RELIGIOUS ACCOMMODATION FOR**
15 **MEMBERS OF THE ARMED FORCES.**

16 (a) IN GENERAL.—As recommended on page 149 of
17 the Report of the Committee on Armed Services of the
18 Senate to Accompany S. 1519 (115th Congress) (Senate
19 Report 115–125), the Secretary of Defense shall develop
20 and implement training on Federal statutes, Department
21 of Defense instructions, and the regulations of each
22 Armed Force regarding religious liberty and accommoda-
23 tion for members of the Armed Forces, including the re-
24 sponsibility of commanders to maintain good order and
25 discipline.

1 (b) CONSULTATION.—The Secretary develop and im-
2 plement the training required by subsection (a) in con-
3 sultation with the following:

4 (1) The General Counsel of the Department of
5 Defense.

6 (2) The Judge Advocate General of the Army,
7 the Judge Advocate General of the Navy, and the
8 Judge Advocate General of the Air Force.

9 (3) The Chief of Chaplains of the Army, the
10 Chief of Chaplains of the Navy, and the Chief of
11 Chaplains of the Air Force.

12 (c) CONTENTS.—The content of the training shall be
13 consistent with and include coverage of each of the fol-
14 lowing:

15 (1) The Religious Freedom Restoration Act of
16 1993 (42 U.S.C. 2000bb et seq.).

17 (2) Section 533 of the National Defense Au-
18 thorization Act for Fiscal Year 2013 (10 U.S.C.
19 prec. 1030 note).

20 (3) Section 528 of the National Defense Au-
21 thorization Act for Fiscal Year 2016 (Public Law
22 114–92; 129 Stat. 814).

23 (d) IMPLEMENTATION.—

1 (1) RECIPIENTS.—The recipients of training
2 developed under subsection (a) shall include the fol-
3 lowing at all levels of command:

4 (A) Commanders

5 (B) Chaplains.

6 (C) Judge advocates.

7 (D) Such other members of the Armed
8 Forces as the Secretary considers appropriate.

9 (2) COMMENCEMENT.—The provision of train-
10 ing developed under subsection (a) shall commence
11 not later than one year after the date of the enact-
12 ment of this Act.

13 **SEC. 542. ADDITIONAL ELEMENTS WITH 2021 CERTIFI-**
14 **CATIONS ON THE READY, RELEVANT LEARN-**
15 **ING INITIATIVE OF THE NAVY.**

16 (a) ADDITIONAL ELEMENTS.—In submitting to Con-
17 gress in 2021 the certifications required by section 545
18 of the National Defense Authorization Act for Fiscal Year
19 2018 (Public Law 115–91; 131 Stat. 1396; 10 U.S.C.
20 8431 note prec.), relating to the Ready, Relevant Learning
21 initiative of the Navy, the Secretary of the Navy shall also
22 submit each of the following:

23 (1) A life cycle sustainment plan for the Ready,
24 Relevant Learning initiative meeting the require-
25 ments in subsection (b).

1 (2) A report on the use of readiness assessment
2 teams in training addressing the elements specified
3 in subsection (c).

4 (b) LIFE CYCLE SUSTAINMENT PLAN.—The life cycle
5 sustainment plan required by subsection (a)(1) shall in-
6 clude a description of the approved life cycle sustainment
7 plan for the Ready, Relevant Learning initiative, including
8 with respect to each of the following:

9 (1) Product support management.

10 (2) Supply support.

11 (3) Packaging, handling, storage, and transpor-
12 tation.

13 (4) Maintenance planning and management.

14 (5) Design interface.

15 (6) Sustainment engineering.

16 (7) Technical data.

17 (8) Computer resources.

18 (9) Facilities and infrastructure.

19 (10) Manpower and personnel.

20 (11) Support equipment.

21 (12) Training and training support.

22 (13) Governance, including the acquisition and
23 program management structure.

1 (14) Such other elements in the life cycle
2 sustainment of the Ready, Relevant Learning initia-
3 tive as the Secretary considers appropriate.

4 (c) REPORT ON USE OF READINESS ASSESSMENT
5 TEAMS.—The report required by subsection (a)(2) shall
6 set forth the following:

7 (1) A description and assessment of the extent
8 to which the Navy is currently using Engineering
9 Readiness Assessment Teams (ERAT) and Combat
10 Systems Readiness Assessment Teams (CSRAT) to
11 conduct unit-level training and assistance in each ca-
12 pacity as follows:

13 (A) To augment non-Ready, Relevant
14 Learning initiative training.

15 (B) As part of Ready, Relevant Learning
16 initiative training.

17 (C) To train students on legacy, obsolete,
18 one of a kind, or unique systems that are still
19 widely used by the Navy.

20 (D) To train students on military-specific
21 systems that are not found in the commercial
22 maritime world.

23 (2) A description and assessment of potential
24 benefits, and anticipated timelines and costs, in ex-
25 panding Engineering Readiness Assessment Team

1 and Combat Systems Readiness Assessment Team
2 training in the capacities specified in paragraph (1).

3 (3) Such other matters in connection with the
4 use of readiness assessment teams in connection
5 with the Ready, Relevant Learning initiative as the
6 Secretary considers appropriate.

7 **SEC. 543. REPORT ON STANDARDIZATION AND POTENTIAL**
8 **MERGER OF LAW ENFORCEMENT TRAINING**
9 **FOR MILITARY AND CIVILIAN PERSONNEL**
10 **ACROSS THE DEPARTMENT OF DEFENSE.**

11 (a) REPORT REQUIRED.—Not later than June 8,
12 2021, the Secretary of Defense shall submit to the Com-
13 mittees on Armed Services of the Senate and the House
14 of Representatives a report on the standardization and po-
15 tential merger of law enforcement training for military
16 and civilian personnel across the Department of Defense,
17 including training of military or civilian personnel of the
18 Department designated in accordance with section 2762
19 of title 10, United States Code, to protect buildings,
20 grounds, and property under the jurisdiction, custody, or
21 control of the Department and the persons on such prop-
22 erty.

23 (b) ELEMENTS.—In developing the report required
24 by subsection (a), the Secretary shall do, and include in
25 the report the results of, the following:

1 (1) Identify and assess current law enforcement
2 training courses, schools, and programs of the
3 Armed Forces that have the flexibility and capacity
4 to support the training referred to in subsection (a)
5 through common training standards.

6 (2) Identify and assess current Department law
7 enforcement training courses, schools, and programs
8 that are affiliated with or accredited by third parties
9 (including both governmental and private entities),
10 including an assessment of the value derived from
11 such affiliation or accreditation to the training re-
12 ferred to in subsection (a).

13 (3) Identify emerging law enforcement training
14 requirements that are common among the Armed
15 Forces and other Department law enforcement com-
16 ponents and are currently unmet by the Armed
17 Forces or such components.

18 (4) Assess the feasibility, advisability, and suit-
19 ability of incorporating standardized and merged
20 field and operational training in military law en-
21 forcement mission areas, including area security op-
22 erations, law and order operations, internment and
23 resettlement operations, and police intelligence oper-
24 ations, in the training provided to all Armed Forces
25 and other Department law enforcement components.

1 (5) Identify and assess Department courses,
2 programs, or institutions with the capability to sup-
3 port law enforcement training or information shar-
4 ing between Department military and civilian law
5 enforcement components and State, county, and
6 local law enforcement agencies, with the capability to
7 support law enforcement components of the National
8 Guard and other reserve components of the Armed
9 Forces, or with both such capabilities.

10 (6) Assess the feasibility, advisability, and suit-
11 ability of standardizing and merging the training re-
12 ferred to in subsection (a) across the Department,
13 including an assessment of the costs of such stand-
14 ardization and merger.

15 (7) Any other matters the Secretary considers
16 appropriate.

17 **SEC. 544. QUARTERLY REPORTS ON IMPLEMENTATION OF**
18 **RECOMMENDATIONS OF THE COMPREHEN-**
19 **SIVE REVIEW OF SPECIAL OPERATIONS**
20 **FORCES CULTURE AND ETHICS.**

21 (a) QUARTERLY REPORTS REQUIRED.—Not later
22 than March 1, 2021, and every 90 days thereafter through
23 March 1, 2024, the Assistant Secretary of Defense for
24 Special Operations and Low Intensity Conflict shall, in co-
25 ordination with the Commander of the United States Spe-

1 cial Operations Command, submit to the congressional de-
2 fense committees a report on the current status of the im-
3 plementation of the actions recommended as a result of
4 the Comprehensive Review of Special Operations Forces
5 Culture and Ethics.

6 (b) ELEMENTS.—Each report under subsection (a)
7 shall include the following:

8 (1) A list of the actions required as of the date
9 of such report to complete full implementation of
10 each of the 16 actions recommended by the Com-
11 prehensive Review referred to in subsection (a).

12 (2) An identification of the office responsible
13 for completing each action listed pursuant to para-
14 graph (1), and an estimated timeline for completion
15 of such action.

16 (3) If completion of any action listed pursuant
17 to paragraph (1) requires resources or actions for
18 which authorization by statute is required, a rec-
19 ommendation for legislative action for such author-
20 ization.

21 (4) Any other matters the Assistant Secretary
22 or the Commander considers appropriate.

1 **SEC. 545. INFORMATION ON NOMINATIONS AND APPLICA-**
2 **TIONS FOR MILITARY SERVICE ACADEMIES.**

3 (a) REPORT ON CONGRESSIONAL NOMINATIONS POR-
4 TAL.—

5 (1) IN GENERAL.—Not later than one year
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall, in consultation with the Su-
8 perintendents of the military service academies, sub-
9 mit to the Committees on Armed Services of the
10 Senate and the House of Representatives a report
11 setting forth an assessment of the feasibility and ad-
12 visability of a uniform online portal for all military
13 service academies that enables Members of Congress
14 to nominate individuals for appointment to each
15 academy through a secure website.

16 (2) INFORMATION COLLECTION AND REPORT-
17 ING.—For purposes of preparing the report required
18 by paragraph (1), the Secretary shall treat the on-
19 line portal described in that paragraph as permitting
20 the collection, from each Member of Congress, of the
21 demographic information described in subsection (b)
22 for each individual nominated by the Member.

23 (3) AVAILABILITY OF INFORMATION.—For pur-
24 poses of preparing the report, the Secretary shall
25 treat the online portal as permitting Members of

1 Congress and their designees to view past nomina-
2 tion records for all application cycles.

3 (4) MATTERS IN CONNECTION WITH ESTAB-
4 LISHMENT OF PORTAL.—If the Secretary determines
5 that the online portal is feasible and advisable, the
6 report shall include—

7 (A) a comprehensive description of the on-
8 line portal; and

9 (B) such recommendations for legislative
10 and administrative action as the Secretary con-
11 siders appropriate to establish and maintain the
12 online portal.

13 (b) STANDARD CLASSIFICATIONS FOR COLLECTION
14 OF DEMOGRAPHIC DATA.—

15 (1) STANDARDS REQUIRED.—The Secretary of
16 Defense shall, in consultation with the Superintend-
17 ents of the military service academies, establish
18 standard classifications that cadets, midshipmen,
19 and applicants to the academies may use to self-
20 identify gender, race, and ethnicity and to provide
21 other demographic information in connection with
22 admission to or enrollment in an academy.

23 (2) CONSISTENCY WITH OMB GUIDANCE.—The
24 standard classifications established under paragraph
25 (1) shall be consistent with the standard classifica-

1 tions specified in Office of Management and Budget
2 Directive No. 15 (pertaining to race and ethnic
3 standards for Federal statistics and administrative
4 reporting) or any successor directive.

5 (3) INCORPORATION INTO APPLICATIONS AND
6 RECORDS.—Not later than one year after the date of
7 the enactment of this Act, the Secretary shall incor-
8 porate the standard classifications established under
9 paragraph (1) into—

10 (A) applications for admission to the mili-
11 tary service academies; and

12 (B) the military personnel records of ca-
13 dets and midshipmen enrolled in such acad-
14 emies.

15 (c) MILITARY SERVICE ACADEMY DEFINED.—In this
16 section, the term “military service academy” means—

17 (1) the United States Military Academy;

18 (2) the United States Naval Academy; and

19 (3) the United States Air Force Academy.

1 **SEC. 546. PILOT PROGRAMS IN CONNECTION WITH SENIOR**
2 **RESERVE OFFICERS' TRAINING CORPS UNITS**
3 **AT HISTORICALLY BLACK COLLEGES AND**
4 **UNIVERSITIES AND MINORITY INSTITUTIONS.**

5 (a) PILOT PROGRAMS AUTHORIZED.—The Secretary
6 of Defense may carry out either or both of the pilot pro-
7 grams as follows:

8 (1) A pilot program, with elements as provided
9 for in subsection (c), at covered institutions in order
10 to assess the feasibility and advisability of mecha-
11 nisms to reduce barriers to participation in the Sen-
12 ior Reserve Officers' Training Corps at such institu-
13 tions by creating partnerships between satellite or
14 extension Senior Reserve Officers' Training Corps
15 units at such institutions and military installations.

16 (2) A pilot program, with elements as provided
17 for in subsection (d), in order to assess the feasi-
18 bility and advisability of the provision of financial
19 assistance to members of the Senior Reserve Offi-
20 cers' Training Corps at covered institutions for par-
21 ticipation in flight training.

22 (b) DURATION.—The duration of each pilot program
23 under subsection (a) may not exceed five years.

24 (c) PILOT PROGRAM ON PARTNERSHIPS BETWEEN
25 SATELLITE OR EXTENSION SROTC UNITS AND MILITARY
26 INSTALLATIONS.—

1 (1) PARTICIPATING INSTITUTIONS.—The Sec-
2 retary of Defense shall carry out the pilot program
3 authorized by subsection (a)(1) at not fewer than
4 five covered institutions selected by the Secretary for
5 purposes of the pilot program.

6 (2) REQUIREMENTS FOR SELECTION.—Each
7 covered institution selected by the Secretary for pur-
8 poses of the pilot program authorized by subsection
9 (a)(1) shall—

10 (A) currently maintain a satellite or exten-
11 sion Senior Reserve Officers' Training Corps
12 unit under chapter 103 of title 10, United
13 States Code, that is located more than 20 miles
14 from the host unit of such unit; or

15 (B) establish and maintain a satellite or
16 extension Senior Reserve Officers' Training
17 Corps unit that meets the requirements in sub-
18 paragraph (A).

19 (3) PREFERENCE IN SELECTION OF INSTITU-
20 TIONS.—In selecting covered institutions under this
21 subsection for participation in the pilot program au-
22 thorized by subsection (a)(1), the Secretary shall
23 give preference to covered institutions that are lo-
24 cated within 20 miles of a military installation of the
25 same Armed Force as the host unit of the Senior

1 Reserve Officers' Training Corp of the covered insti-
2 tution concerned.

3 (4) PARTNERSHIP ACTIVITIES.—The activities
4 conducted under the pilot program authorized by
5 subsection (a)(1) between a satellite or extension
6 Senior Reserve Officers' Training Corps unit and
7 the military installation concerned shall include such
8 activities designed to reduce barriers to participation
9 in the Senior Reserve Officers' Training Corps at
10 the covered institution concerned as the Secretary
11 considers appropriate, including measures to miti-
12 gate travel time and expenses in connection with re-
13 ceipt of Senior Reserve Officers' Training Corps in-
14 struction.

15 (d) PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR
16 SROTC MEMBERS FOR FLIGHT TRAINING.—

17 (1) ELIGIBILITY FOR PARTICIPATION BY SROTC
18 MEMBERS.—A member of a Senior Reserve Officers'
19 Training Corps unit at a covered institution may
20 participate in the pilot program authorized by sub-
21 section (a)(2) if the member meets such academic
22 requirements at the covered institution, and such
23 other requirements, as the Secretary shall establish
24 for purposes of the pilot program.

1 (2) PREFERENCE IN SELECTION OF PARTICI-
2 PANTS.—In selecting members under this subsection
3 for participation in the pilot program authorized by
4 subsection (a)(2), the Secretary shall give a pref-
5 erence to members who will pursue flight training
6 under the pilot program at a covered institution.

7 (3) FINANCIAL ASSISTANCE FOR FLIGHT TRAIN-
8 ING.—

9 (A) IN GENERAL.—The Secretary may
10 provide any member of a Senior Reserve Offi-
11 cers' Training Corps who participates in the
12 pilot program authorized by subsection (a)(2)
13 financial assistance to defray, whether in whole
14 or in part, the charges and fees imposed on the
15 member for flight training.

16 (B) FLIGHT TRAINING.—Financial assist-
17 ance may be used under subparagraph (A) for
18 a course of flight training only if the course
19 meets Federal Aviation Administration stand-
20 ards and is approved by the Federal Aviation
21 Administration and the applicable State approv-
22 ing agency.

23 (C) USE.—Financial assistance received by
24 a member under subparagraph (A) may be used

1 only to defray the charges and fees imposed on
2 the member as described in that subparagraph.

3 (D) CESSATION OF ELIGIBILITY.—Finan-
4 cial assistance may not be provided to a mem-
5 ber under subparagraph (A) as follows:

6 (i) If the member ceases to meet the
7 academic and other requirements estab-
8 lished pursuant to paragraph (1).

9 (ii) If the member ceases to be a
10 member of the Senior Reserve Officers'
11 Training Corps.

12 (e) EVALUATION METRICS.—The Secretary of De-
13 fense shall establish metrics to evaluate the effectiveness
14 of the pilot programs under subsection (a).

15 (f) REPORTS.—

16 (1) INITIAL REPORT.—Not later than 180 days
17 after the commencement of the pilot programs under
18 subsection (a), the Secretary of Defense shall submit
19 to the Committees on Armed Services of the Senate
20 and the House of Representatives a report on the
21 pilot programs. The report shall include the fol-
22 lowing:

23 (A) A description of each pilot program,
24 including in the case of the pilot program under

1 subsection (a)(2) the requirements established
2 pursuant to subsection (d)(1).

3 (B) The evaluation metrics established
4 under subsection (e).

5 (C) Such other matters relating to the
6 pilot programs as the Secretary considers ap-
7 propriate.

8 (2) ANNUAL REPORT.—Not later than 90 days
9 after the end of each fiscal year in which the Sec-
10 retary carries out the pilot programs, the Secretary
11 shall submit to the Committees on Armed Services
12 of the Senate and the House of Representatives a
13 report on the pilot programs during such fiscal year.
14 Each report shall include, for the fiscal year covered
15 by such report, the following:

16 (A) In the case of the pilot program under
17 subsection (a)(1), a description of the partner-
18 ships between satellite or extension Senior Re-
19 serve Officers' Training Corps units and mili-
20 tary installations under the pilot program.

21 (B) In the case of the pilot program under
22 subsection (a)(2), the following:

23 (i) The number of members of Senior
24 Reserve Officers' Training Corps units at
25 covered institutions selected for purposes

1 of the pilot program, including the number
2 of such members participating in the pilot
3 program.

4 (ii) The number of recipients of finan-
5 cial assistance provided under the pilot
6 program, including the number who—

7 (I) completed a ground school
8 course of instruction in connection
9 with obtaining a private pilot's certifi-
10 cate;

11 (II) completed flight training,
12 and the type of training, certificate, or
13 both received;

14 (III) were selected for a pilot
15 training slot in the Armed Forces;

16 (IV) initiated pilot training in the
17 Armed Forces; or

18 (V) successfully completed pilot
19 training in the Armed Forces.

20 (iii) The amount of financial assist-
21 ance provided under the pilot program,
22 broken out by covered institution, course of
23 study, and such other measures as the Sec-
24 retary considers appropriate.

1 (C) Data collected in accordance with the
2 evaluation metrics established under subsection
3 (e).

4 (3) FINAL REPORT.—Not later than 180 days
5 prior to the completion of the pilot programs, the
6 Secretary shall submit to the Committees on Armed
7 Services of the Senate and the House of Representa-
8 tives a report on the pilot programs. The report
9 shall include the following:

10 (A) A description of the pilot programs.

11 (B) An assessment of the effectiveness of
12 each pilot program.

13 (C) A description of the cost of each pilot
14 program, and an estimate of the cost of making
15 each pilot program permanent.

16 (D) An estimate of the cost of expanding
17 each pilot program throughout all eligible Sen-
18 ior Reserve Officers' Training Corps units.

19 (E) Such recommendations for legislative
20 or administrative action as the Secretary con-
21 siders appropriate in light of the pilot pro-
22 grams, including recommendations for extend-
23 ing or making permanent the authority for each
24 pilot program.

25 (g) DEFINITIONS.—In this section:

1 (1) The term “covered institution” has the
2 meaning given that term in section 262(g)(2) of the
3 National Defense Authorization Act for Fiscal Year
4 2020 (Public Law 116–92).

5 (2) The term “flight training” means a course
6 of instruction toward obtaining any of the following:

7 (A) A private pilot’s certificate.

8 (B) A commercial pilot certificate.

9 (C) A certified flight instructor certificate.

10 (D) A multi-crew pilot’s license.

11 (E) A flight instrument rating.

12 (F) Any other certificate, rating, or pilot
13 privilege the Secretary considers appropriate for
14 purposes of this section.

15 (3) The term “military installation” means an
16 installation of the Department of Defense for the
17 regular components of the Armed Forces.

18 **SEC. 547. EXPANSION OF JUNIOR RESERVE OFFICERS’**
19 **TRAINING CORPS PROGRAM.**

20 (a) **EXPANSION OF JROTC CURRICULUM.**—Section
21 2031(a)(2) of title 10, United States Code, is amended
22 by inserting after “service to the United States” the fol-
23 lowing: “(including an introduction to service opportuni-
24 ties in military, national, and public service)”.

1 (b) PLAN TO INCREASE NUMBER OF JROTC
 2 UNITS.—The Secretary of Defense shall, in consultation
 3 with the Secretaries of the military departments, develop
 4 and implement a plan to establish and support not fewer
 5 than 6,000 units of the Junior Reserve Officers’ Training
 6 Corps by September 30, 2031.

7 **SEC. 548. DEPARTMENT OF DEFENSE STARBASE PROGRAM.**

8 Section 2193b(h) of title 10, United States Code, is
 9 amended by inserting “the Commonwealth of the North-
 10 ern Mariana Islands, American Samoa,” before “and
 11 Guam”.

12 **Subtitle F—Decorations and**
 13 **Awards**

14 **SEC. 551. AWARD OR PRESENTATION OF DECORATIONS FA-**
 15 **VORABLY RECOMMENDED FOLLOWING DE-**
 16 **TERMINATION ON MERITS OF PROPOSALS**
 17 **FOR DECORATIONS NOT PREVIOUSLY SUB-**
 18 **MITTED IN A TIMELY FASHION.**

19 (a) AWARD OR PRESENTATION AUTHORIZED.—Sec-
 20 tion 1130 of title 10, United States Code, is amended—

21 (1) by redesignating subsection (d) as sub-
 22 section (e); and

23 (2) by inserting after subsection (c) the fol-
 24 lowing new subsection (d):

1 “(d)(1) A decoration may be awarded or presented
 2 following the submission of a favorable recommendation
 3 for the award or presentation of the decoration under sub-
 4 section (b).

5 “(2) An award or presentation of a decoration under
 6 paragraph (1) may not occur before the end of the 60-
 7 day period beginning on the date of the submission under
 8 subsection (b) of the favorable recommendation regarding
 9 the award or presentation of the decoration.

10 “(3) The authority to make an award or presentation
 11 of a decoration under this subsection shall apply notwith-
 12 standing any limitation described in subsection (a).”.

13 (b) CONFORMING AND CLERICAL AMENDMENTS.—

14 (1) SECTION HEADING.—The heading of section
 15 1130 of such title is amended to read as follows:

16 **“§ 1130. Consideration of proposals for decorations**
 17 **not previously submitted in timely fash-**
 18 **ion: procedures for review and award or**
 19 **presentation”.**

20 (2) TABLE OF SECTIONS.—The table of sections
 21 at the beginning of chapter 57 of such title is
 22 amended by striking the item relating to section
 23 1130 and inserting the following new item:

“1130. Consideration of proposals for decorations not previously submitted in
 timely fashion: procedures for review and award or presen-
 tation.”.

1 **SEC. 552. HONORARY PROMOTION MATTERS.**

2 (a) HONORARY PROMOTIONS ON INITIATIVE OF
3 DoD.—Chapter 80 of title 10, United States Code, is
4 amended by inserting after section 1563 the following new
5 section:

6 **“§ 1563a. Honorary promotions on the initiative of**
7 **the Department of Defense**

8 “(a) IN GENERAL.—(1) Under regulations prescribed
9 by the Secretary of Defense, the Secretary may make an
10 honorary promotion (whether or not posthumous) of a
11 former member or retired member of the armed forces to
12 any grade not exceeding the grade of major general, rear
13 admiral (upper half), or an equivalent grade in the Space
14 Force if the Secretary determines that the promotion is
15 merited.

16 “(2) The authority to make an honorary promotion
17 under this subsection shall apply notwithstanding that the
18 promotion is not otherwise authorized by law.

19 “(b) NOTICE TO CONGRESS.—The Secretary may not
20 make an honorary promotion pursuant to subsection (a)
21 until 60 days after the date on which the Secretary sub-
22 mits to the Committees on Armed Services of the Senate
23 and the House of Representatives a notice of the deter-
24 mination to make the promotion, including a detailed dis-
25 cussion of the rationale supporting the determination.

1 “(c) NOTICE OF PROMOTION.—Upon making an hon-
 2 orary promotion pursuant to subsection (a), the Secretary
 3 shall expeditiously notify the former member or retired
 4 member concerned, or the next of kin of such former mem-
 5 ber or retired member if such former member or retired
 6 member is deceased, of the promotion.

7 “(d) NATURE OF PROMOTION.—Any promotion pur-
 8 suant to this section is honorary, and shall not affect the
 9 pay, retired pay, or other benefits from the United States
 10 to which the former member or retired member concerned
 11 is entitled or would have been entitled based on the mili-
 12 tary service of such former member or retired member,
 13 nor affect any benefits to which any other person is or
 14 may become entitled based on the military service of such
 15 former member or retired member.”.

16 (b) MODIFICATION OF AUTHORITIES ON REVIEW OF
 17 PROPOSALS FROM CONGRESS.—

18 (1) STANDARDIZATION OF AUTHORITIES WITH
 19 AUTHORITIES ON DOD INITIATIVE.—Section 1563 of
 20 title 10, United States Code, is amended—

21 (A) in subsection (a)—

22 (i) in the first sentence, by striking
 23 “the posthumous or honorary promotion or
 24 appointment of a member or former mem-
 25 ber of the armed forces, or any other per-

1 son considered qualified,” and inserting
 2 “the honorary promotion (whether or not
 3 posthumous) of a former member or re-
 4 tired member of the armed forces”; and

5 (ii) in the second sentence, by striking
 6 “the posthumous or honorary promotion or
 7 appointment” and inserting “the pro-
 8 motion”; and

9 (B) in subsection (b), by striking “the
 10 posthumous or honorary promotion or appoint-
 11 ment” and inserting “the honorary promotion”.

12 (2) AUTHORITY TO MAKE HONORARY PRO-
 13 MOTIONS FOLLOWING REVIEW OF PROPOSALS.—
 14 Such section is further amended—

15 (A) by redesignating subsection (c) as sub-
 16 section (d); and

17 (B) by inserting after subsection (b) the
 18 following new subsection (c):

19 “(c) AUTHORITY TO MAKE.—(1) Under regulations
 20 prescribed by the Secretary of Defense, the Secretary of
 21 Defense may make an honorary promotion (whether or not
 22 posthumous) of a former member or retired member of
 23 the armed forces to any grade not exceeding the grade
 24 of major general, rear admiral (upper half), or an equiva-
 25 lent grade in the Space Force following the submittal of

1 the determination of the Secretary concerned under sub-
2 section (b) in connection with the proposal for the pro-
3 motion if the determination is to approve the making of
4 the promotion.

5 “(2) The Secretary of Defense may not make an hon-
6 orary promotion under this subsection until 60 days after
7 the date on which the Secretary concerned submits the
8 determination in connection with the proposal for the pro-
9 motion under subsection (b), and the detailed rationale
10 supporting the determination as described in that sub-
11 section, to the Committees on Armed Services of the Sen-
12 ate and the House of Representatives and the requesting
13 Member in accordance with that subsection.

14 “(3) The authority to make an honorary promotion
15 under this subsection shall apply notwithstanding that the
16 promotion is not otherwise authorized by law.

17 “(4) Any promotion pursuant to this subsection is
18 honorary, and shall not affect the pay, retired pay, or
19 other benefits from the United States to which the former
20 member or retired member concerned is or would have
21 been entitled based upon the military service of such
22 former member or retired member, nor affect any benefits
23 to which any other person may become entitled based on
24 the military service of such former member or retired
25 member.”.

1 (3) HEADING AMENDMENT.—The heading of
2 such section is amended to read as follows:

3 **“§ 1563. Consideration of proposals from Members of**
4 **Congress for honorary promotions: proce-**
5 **dures for review and promotion”.**

6 (c) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of chapter 80 of such title is amended
8 by striking the item relating to section 1563 and inserting
9 the following new items:

“1563. Consideration of proposals from Members of Congress for honorary pro-
motions: procedures for review and promotion.

“1563a. Honorary promotions on the initiative of the Department of Defense.”.

10 **Subtitle G—Defense Dependents’**
11 **Education and Military Family**
12 **Readiness Matters**

13 **PART I—DEFENSE DEPENDENTS’ EDUCATION**
14 **MATTERS**

15 **SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
16 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
17 **PENDENTS OF MEMBERS OF THE ARMED**
18 **FORCES AND DEPARTMENT OF DEFENSE CI-**
19 **VILIAN EMPLOYEES.**

20 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
21 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
22 amount authorized to be appropriated for fiscal year 2021
23 by section 301 and available for operation and mainte-
24 nance for Defense-wide activities as specified in the fund-

1 ing table in section 4301, \$50,000,000 shall be available
2 only for the purpose of providing assistance to local edu-
3 cational agencies under subsection (a) of section 572 of
4 the National Defense Authorization Act for Fiscal Year
5 2006 (Public Law 109–163; 20 U.S.C. 7703b).

6 (b) LOCAL EDUCATIONAL AGENCY DEFINED.—In
7 this section, the term “local educational agency” has the
8 meaning given that term in section 7013(9) of the Ele-
9 mentary and Secondary Education Act of 1965 (20 U.S.C.
10 7713(9)).

11 **SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
12 **ABILITIES.**

13 (a) IN GENERAL.—Of the amount authorized to be
14 appropriated for fiscal year 2021 pursuant to section 301
15 and available for operation and maintenance for Defense-
16 wide activities as specified in the funding table in section
17 4301, \$10,000,000 shall be available for payments under
18 section 363 of the Floyd D. Spence National Defense Au-
19 thorization Act for Fiscal Year 2001 (as enacted into law
20 by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C.
21 7703a).

22 (b) ADDITIONAL AMOUNT.—Of the amount author-
23 ized to be appropriated for fiscal year 2021 pursuant to
24 section 301 and available for operation and maintenance
25 for Defense-wide activities as specified in the funding table

1 in section 4301, \$10,000,000 shall be available for use by
2 the Secretary of Defense to make payments to local edu-
3 cational agencies determined by the Secretary to have
4 higher concentrations of military children with severe dis-
5 abilities.

6 (c) REPORT.—Not later than March 1, 2021, the
7 Secretary shall brief the Committees on Armed Services
8 of the Senate and the House of Representatives on the
9 Department’s evaluation of each local educational agency
10 with higher concentrations of military children with severe
11 disabilities and subsequent determination of the amounts
12 of impact aid each such agency shall receive.

13 **SEC. 563. STAFFING OF DEPARTMENT OF DEFENSE EDU-**
14 **CATION ACTIVITY SCHOOLS TO MAINTAIN**
15 **MAXIMUM STUDENT-TO-TEACHER RATIOS.**

16 (a) IN GENERAL.—The Department of Defense Edu-
17 cation Activity (DoDEA) shall staff elementary and sec-
18 ondary schools operated by the Activity so as to maintain,
19 to the extent practicable, student-to-teacher ratios that do
20 not exceed the maximum student-to-teacher ratios speci-
21 fied in subsection (b).

22 (b) MAXIMUM STUDENT-TO-TEACHER RATIOS.—The
23 maximum student-to-teacher ratios specified in this sub-
24 section are the following:

1 (2) INFORMATION.—The information collected
2 and maintained pursuant to this subsection shall in-
3 clude the following:

4 (A) The number of special education dis-
5 putes filed.

6 (B) The outcome or disposition of the dis-
7 putes.

8 (3) SOURCE OF INFORMATION.—The informa-
9 tion collected and maintained pursuant to this sub-
10 section shall be derived from the following:

11 (A) Records and reports of case managers
12 and navigators under the Exceptional Family
13 Member Program (EFMP) of the Department
14 of Defense.

15 (B) Reports of members of the Armed
16 Forces concerned to installation or other mili-
17 tary leadership.

18 (C) Such other sources as the Secretary of
19 the military department concerned considers ap-
20 propriate.

21 (4) ANNUAL REPORTS.— Each Secretary of a
22 military department shall submit each year to the
23 Office of Special Needs of the Department of De-
24 fense a report on the information collected by such

1 Secretary pursuant to this subsection during the
2 preceding year.

3 (b) COMPTROLLER GENERAL OF THE UNITED
4 STATES STUDY.—

5 (1) IN GENERAL.—The Comptroller General of
6 the United States shall conduct a study on the fol-
7 lowing:

8 (A) The consequences for a State or local
9 educational agency of a finding of failure to
10 provide a free appropriate public education to a
11 military dependent.

12 (B) The manner in which local educational
13 agencies with military families use the fol-
14 lowing:

15 (i) Funds received under section
16 7003(d) of the Elementary and Secondary
17 Education Act of 1965 (20 U.S.C.
18 7703(d)).

19 (ii) Funds authorized to be appro-
20 priated by annual national defense author-
21 ization Acts and made available for impact
22 aid for child with severe disabilities under
23 section 363 of the Floyd D. Spence Na-
24 tional Defense Authorization Act for Fiscal
25 Year 2001 (20 U.S.C. 7703a).

1 (iii) Funds authorized to be appro-
2 priated by annual national defense author-
3 ization Acts and made available for assist-
4 ance to schools with significant number of
5 military dependent students under sub-
6 section (a) of section 572 of the National
7 Defense Authorization Act for Fiscal Year
8 2006 (20 U.S.C. 7703b).

9 (C) The efficacy of attorney and other
10 legal support for military families in special
11 education disputes.

12 (D) The standardization of policies and
13 guidance for School Liaison Officers between
14 the Office of Special Needs of the Department
15 of Defense and the military departments, and
16 the efficacy of such policies and guidance.

17 (E) The improvements of family support
18 programs of the Office of Special Needs, and of
19 each military department, in light of the rec-
20 ommendations of the Comptroller General in
21 the report entitled “DOD Should Improve Its
22 Oversight of the Exceptional Family Member
23 Program”, GAO-18-348.

1 (2) RECOMMENDATIONS.—In conducting the
2 study, the Comptroller General shall develop rec-
3 ommendations on the following:

4 (A) Improvements and enhancements to
5 oversight and enforcement of compliance by
6 local educational agencies with requirements for
7 the provision of a free appropriate public edu-
8 cation to military dependents with special
9 needs.

10 (B) Improvements to the policies of the Of-
11 fice of Special Needs, and of each military de-
12 partment, with respect to the standardization
13 and efficacy of policies and programs for mili-
14 tary dependents with special needs.

15 (3) DEADLINE FOR COMPLETION.—The Comp-
16 troller General shall complete the study by not later
17 than March 31, 2021.

18 (4) BRIEFING AND REPORT.—Upon completion
19 of the study, the Comptroller General shall brief the
20 Committees on Armed Services of the Senate and
21 the House of Representatives on the results of the
22 study, and shall submit to such committees a report
23 on such results.

24 (c) DEFINITIONS.—In this section:

1 (1) The term “free appropriate public edu-
2 cation” includes appropriate special education and
3 related services required under the Individuals with
4 Disabilities Education Act (20 U.S.C. 1400 et seq.)

5 (2) The term “local educational agency” has
6 the meaning given that term in section 8101 of the
7 Elementary and Secondary Education Act of 1965
8 (20 U.S.C. 7801).

9 (3) The term “special education dispute” means
10 a complaint filed regarding the education provided a
11 child with a disability (as defined in section 602 of
12 the Individuals with Disabilities Education Act (20
13 U.S.C. 1401), including a complaint filed in accord-
14 ance with section 615 or 639 of such Act (20 U.S.C.
15 1415, 1439).

16 **SEC. 565. PILOT PROGRAM ON EXPANDED ELIGIBILITY FOR**
17 **DEPARTMENT OF DEFENSE EDUCATION AC-**
18 **TIVITY VIRTUAL HIGH SCHOOL PROGRAM.**

19 (a) PILOT PROGRAM REQUIRED.—

20 (1) IN GENERAL.—The Secretary of Defense
21 shall carry out a pilot program on permitting de-
22 pendents of members of the Armed Forces on active
23 duty to enroll in the Department of Defense Edu-
24 cation Activity Virtual High School program (in this
25 section referred to as the “DVHS program”).

1 (2) PURPOSES.—The purposes of the pilot pro-
2 gram shall be as follows:

3 (A) To evaluate the feasibility and
4 scalability of the DVHS program.

5 (B) To assess the impact of expanded en-
6 rollment in the DVHS program under the pilot
7 program on military and family readiness.

8 (3) DURATION.—The duration of the pilot pro-
9 gram shall be four academic years.

10 (b) PARTICIPANTS.—

11 (1) IN GENERAL.—Participants in the pilot pro-
12 gram shall be selected by the Secretary from among
13 dependents of members of the Armed Forces on ac-
14 tive duty who—

15 (A) are in a grade 9 through 12;

16 (B) are currently ineligible to enroll in the
17 DVHS program; and

18 (C) either—

19 (i) require supplementary courses to
20 meet graduation requirements in the cur-
21 rent State of residence; or

22 (ii) otherwise demonstrate to the Sec-
23 retary a clear need to participate in the
24 DVHS program.

1 (2) PREFERENCE IN SELECTION.—In selecting
2 participants in the pilot program, the Secretary shall
3 afford a preference to the following:

4 (A) Dependents who reside in a rural area.

5 (B) Dependents who are home-schooled
6 students.

7 (3) LIMITATIONS.—The total number of course
8 enrollments per academic year authorized under the
9 pilot program may not exceed 400 course enroll-
10 ments. No single dependent participating in the pilot
11 program may take more than two courses per aca-
12 demic year under the pilot program.

13 (c) REPORTS.—

14 (1) INTERIM REPORT.—Not later than two
15 years after the date of the enactment of this Act, the
16 Secretary shall submit to the Committees on Armed
17 Services of the Senate and the House of Representa-
18 tives an interim report on the pilot program.

19 (2) FINAL REPORT.—Not later than 180 days
20 after the completion of the pilot program, the Sec-
21 retary shall submit to the committees of Congress
22 referred to in paragraph (1) a final report on the
23 pilot programs.

24 (3) ELEMENTS.—Each report under this sub-
25 section shall include the following:

1 (A) A description of the demographics of
 2 the dependents participating in the pilot pro-
 3 gram through the date of such report.

4 (B) Data on, and an assessment of, stu-
 5 dent performance in virtual coursework by de-
 6 pendants participating in the pilot program over
 7 the duration of the pilot program.

8 (C) Such recommendation as the Secretary
 9 considers appropriate on whether to make the
 10 pilot program permanent.

11 (d) DEFINITIONS.—In this section:

12 (1) The term “rural area” has the meaning
 13 given the term in section 520 of the Housing Act of
 14 1949 (42 U.S.C. 1490).

15 (2) The term “home-schooled student” means a
 16 student in a grade equivalent to grade 9 through 12
 17 who receives educational instruction at home or by
 18 other non-traditional means outside of a public or
 19 private school system, either all or most of the time.

20 **SEC. 566. PILOT PROGRAM ON EXPANSION OF ELIGIBILITY**
 21 **FOR ENROLLMENT AT DOMESTIC DEPEND-**
 22 **ENT ELEMENTARY AND SECONDARY**
 23 **SCHOOLS.**

24 (a) PILOT PROGRAM REQUIRED.—Beginning not
 25 later than 180 days after the date of the enactment of

1 this Act, the Secretary of Defense shall carry out a pilot
2 program under which a dependent of a full-time, active-
3 duty member of the Armed Forces may enroll in a covered
4 DODEA school at the military installation to which the
5 member is assigned, on a space-available basis as de-
6 scribed in subsection (c), without regard to whether the
7 member resides on the installation as described in
8 2164(a)(1) of title 10, United States Code.

9 (b) PURPOSES.—The purposes of the pilot program
10 under this section are—

11 (1) to evaluate the feasibility and advisability of
12 expanding enrollment in covered DODEA schools;
13 and

14 (2) to determine how increased access to such
15 schools will affect military and family readiness.

16 (c) ENROLLMENT ON SPACE-AVAILABLE BASIS.—A
17 student participating in the pilot program under this sec-
18 tion may be enrolled in a covered DODEA school only if
19 the school has the capacity to accept the student, as deter-
20 mined by the Director of the Department of Defense Edu-
21 cation Activity.

22 (d) LOCATIONS.—The Secretary of Defense shall
23 carry out the pilot program under this section at not more
24 than four military installations at which covered DODEA
25 schools are located. The Secretary shall select military in-

1 stallations for participation in the pilot program based
2 on—

3 (1) the readiness needs of the Secretary of a
4 the military department concerned; and

5 (2) the capacity of the DODEA schools located
6 at the installation to accept additional students, as
7 determined by the Director of the Department of
8 Defense Education Activity.

9 (e) TERMINATION.—The authority to carry out the
10 pilot program under this section shall terminate four years
11 after the date of the enactment of this Act.

12 (f) COVERED DODEA SCHOOL DEFINED.—In this
13 section, the term “covered DODEA school” means a do-
14 mestic dependent elementary or secondary school operated
15 by the Department of Defense Education Activity that—

16 (1) has been established on or before the date
17 of the enactment of this Act; and

18 (2) is located in the continental United States.

19 **SEC. 567. COMPTROLLER GENERAL OF THE UNITED**
20 **STATES REPORT ON THE STRUCTURAL CON-**
21 **DITION OF DEPARTMENT OF DEFENSE EDU-**
22 **CATION ACTIVITY SCHOOLS.**

23 (a) REPORT REQUIRED.—Not later than one year
24 after the date of the enactment of this Act, the Comp-
25 troller General of the United States shall submit to the

1 congressional defense committees a report setting forth an
 2 assessment by the Comptroller General of the structural
 3 condition of schools of the Department of Defense Edu-
 4 cation Activity, both within the continental United States
 5 (CONUS) and outside the continental United States
 6 (OCONUS).

7 (b) VIRTUAL SCHOOLS.—The report shall include an
 8 assessment of the virtual infrastructure or other means
 9 by which students attend Department of Defense Edu-
 10 cation Activity schools that have no physical structure, in-
 11 cluding the satisfaction of the military families concerned
 12 with such infrastructure or other means.

13 **PART II—MILITARY FAMILY READINESS**

14 **MATTERS**

15 **SEC. 571. RESPONSIBILITY FOR ALLOCATION OF CERTAIN**
 16 **FUNDS FOR MILITARY CHILD DEVELOPMENT**
 17 **PROGRAMS.**

18 Section 1791 of title 10, United States Code, is
 19 amended—

20 (1) by inserting “(a) POLICY.—” before “It is
 21 the policy”; and

22 (2) by adding at the end the following new sub-
 23 section:

24 “(b) RESPONSIBILITY FOR ALLOCATIONS OF CER-
 25 TAIN FUNDS.—The Secretary of Defense shall be respon-

1 sible for the allocation of Office of the Secretary of De-
2 fense level funds for military child development programs
3 for children from birth through 12 years of age, and may
4 not delegate such responsibility to the military depart-
5 ments.”.

6 **SEC. 572. IMPROVEMENTS TO EXCEPTIONAL FAMILY MEM-**
7 **BER PROGRAM.**

8 Section 1781c of title 10, United States Code is
9 amended—

10 (1) in subsection (b), by striking “enhance” and
11 inserting “standardize, enhance,”;

12 (2) in subsection (c)(1), by inserting “and
13 standard” after “comprehensive”;

14 (3) in subsection (d)—

15 (A) in paragraph (1), by striking “update
16 from time to time” and inserting “regularly up-
17 date”;

18 (B) in paragraph (3), by adding at the end
19 the following new subparagraphs:

20 “(C) Ability to request a second review of
21 the approved assignment within or outside the
22 continental United States if the member be-
23 lieves the location is inappropriate for the mem-
24 ber’s family and would cause undue hardship.

1 “(D) Protection from having a medical rec-
2 ommendation for an approved assignment
3 overridden by the commanding officer.

4 “(E) Ability to request continuation of lo-
5 cation when there is a documented substantial
6 risk of transferring medical care or educational
7 services to a new provider or school at the spe-
8 cific time of permanent change of station.

9 “(F) If an order for assignment is declined
10 for a military family with special needs, the
11 member will receive a reason for the decline of
12 that order.”; and

13 (C) in paragraph (4), by adding at the end
14 the following new subparagraphs:

15 “(H) Procedures to right-size the Depart-
16 ment’s Exceptional Family Member Program to
17 ensure efficient and effective enrollment, for
18 sufficient staffing dedicated to providing family
19 support services, to include comprehensive
20 training, education and outreach services, and
21 sufficient oversight and administrative support
22 for effective program operation.

23 “(I) Requirements to prohibit
24 disenrollment from the Exceptional Family
25 Member Program unless there is new sup-

1 porting medical or educational information that
2 indicates the original condition is no longer
3 present, and to track disenrollment data per
4 military service.”;

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

7 (5) by inserting after subsection (e) the fol-
8 lowing new subsection:

9 “(f) METRICS.—The Secretary of Defense shall im-
10 plement performance metrics for measuring, across the
11 Department and with respect to each military department,
12 the following:

13 “(1) Assignment coordination and support for
14 military families with special needs, including a sys-
15 tematic process for evaluating each military depart-
16 ment’s program for the support of military families
17 with special needs.

18 “(2) The reassignment of military families with
19 special needs, including how often members request
20 reassignments, for what reasons, and from what
21 military installations.

22 “(3) The level of satisfaction of military fami-
23 lies with special needs with the family and medical
24 support they are provided.”.

1 **SEC. 573. PROCEDURES OF THE OFFICE OF SPECIAL NEEDS**
2 **FOR THE DEVELOPMENT OF INDIVIDUALIZED**
3 **SERVICES PLANS FOR MILITARY FAMILIES**
4 **WITH SPECIAL NEEDS.**

5 Section 1781c(d)(4) of title 10, United States Code,
6 as amended by section 572(3)(C) of this Act, is further
7 amended—

8 (1) in subparagraph (F), by striking “of an in-
9 dividualized services plan (medical and educational)”
10 and inserting “by an appropriate office of an indi-
11 vidualized services plan (whether medical, edu-
12 cational, or both)”;

13 (2) by redesignating subparagraphs (G), (H),
14 and (I) as subparagraph (H), (I), and (J), respec-
15 tively; and

16 (3) by inserting after subparagraph (F) the fol-
17 lowing new paragraph (G):

18 “(G) Procedures for the development of an indi-
19 vidualized services plan for military family members
20 with special needs who have requested family sup-
21 port services and have a completed family needs as-
22 sessment.”.

1 **SEC. 574. RESTATEMENT AND CLARIFICATION OF AUTHOR-**
2 **ITY TO REIMBURSE MEMBERS FOR SPOUSE**
3 **RELICENSING COSTS PURSUANT TO A PER-**
4 **MANENT CHANGE OF STATION.**

5 (a) IN GENERAL.—Section 453 of title 37, United
6 States Code, is amended by adding at the end the fol-
7 lowing new subsection:

8 “(g) REIMBURSEMENT OF QUALIFYING SPOUSE RE-
9 LICENSING COSTS INCIDENT TO A MEMBER’S PERMA-
10 NENT CHANGE OF STATION OR ASSIGNMENT.—(1) From
11 amounts otherwise made available for a fiscal year to pro-
12 vide travel and transportation allowances under this chap-
13 ter, the Secretary concerned may reimburse a member of
14 the armed forces for qualified relicensing costs of the
15 spouse of the member when—

16 “(A) the member is reassigned, either as a per-
17 manent change of station or permanent change of
18 assignment, between duty stations located in sepa-
19 rate jurisdictions with unique licensing or certifi-
20 cation requirements and authorities; and

21 “(B) the movement of the member’s dependents
22 is authorized at the expense of the United States
23 under this section as part of the reassignment.

24 “(2) Reimbursement provided to a member under
25 this subsection may not exceed \$1000 in connection with
26 each reassignment described in paragraph (1).

1 “(3) No reimbursement may be provided under this
 2 subsection for qualified relicensing costs paid or incurred
 3 after December 31, 2024.

4 “(4) In this subsection, the term ‘qualified relicensing
 5 costs’ means costs, including exam, continuing education
 6 courses, and registration fees, incurred by the spouse of
 7 a member if—

8 “(A) the spouse was licensed or certified in a
 9 profession during the member’s previous duty as-
 10 signment and requires a new license or certification
 11 to engage in that profession in a new jurisdiction be-
 12 cause of movement described in paragraph (1)(B) in
 13 connection with the member’s change in duty loca-
 14 tion pursuant to reassignment described in para-
 15 graph (1)(A); and

16 “(B) the costs were incurred or paid to secure
 17 or maintain the license or certification from the new
 18 jurisdiction in connection with such reassignment.”.

19 (b) REPEAL OF SUPERSEDED AUTHORITY.—Section
 20 476 of such title is amended by striking subsection (p).

21 **SEC. 575. IMPROVEMENTS TO DEPARTMENT OF DEFENSE**
 22 **TRACKING OF AND RESPONSE TO INCIDENTS**
 23 **OF CHILD ABUSE INVOLVING MILITARY DE-**
 24 **PENDENTS ON MILITARY INSTALLATIONS.**

25 (a) IMPROVEMENTS REQUIRED.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall, consistent with recommendations of the Comp-
3 troller General of the United States in Government
4 Accountability Office report GA0–20–110, take ac-
5 tions in accordance with this section in order to im-
6 prove the efforts of the Department of Defense to
7 track and respond to incidents of child abuse involv-
8 ing dependents of members of the Armed Forces
9 that occur on military installations (in this section
10 referred to as “covered incidents of child abuse”).

11 (2) CHILD ABUSE.—For purposes of this sec-
12 tion, child abuse includes any abuse of a child, in-
13 cluding sexual abuse, emotional abuse, and neglect.

14 (b) DATA COLLECTION AND TRACKING OF INCI-
15 DENTS OF CHILD ABUSE.—

16 (1) TRACKING OF NON-CAREGIVER ABUSE.—
17 The Secretary of Defense shall establish a process
18 for the Department of Defense Family Advocacy
19 Program to track reported covered incidents of child
20 abuse in which the alleged offender is not a parent,
21 guardian, or someone in a caregiving role at the
22 time of the incident. The information so tracked
23 shall comport with the information tracked by the
24 Department of Defense in reported covered incidents
25 of child abuse in which the alleged offender is a par-

1 ent, guardian, or someone in a caregiving role at the
2 time of the incident.

3 (2) CENTRALIZED DATABASE FOR TRACKING OF
4 INCIDENTS.—

5 (A) IN GENERAL.—The Secretary shall de-
6 velop and maintain in the Department of De-
7 fense a centralized database to track informa-
8 tion across the Department on all covered inci-
9 dents of child abuse that are reported to the
10 Family Advocacy Program or investigated by a
11 military criminal investigation organization, re-
12 gardless of whether the alleged offender was an-
13 other child, an adult, or someone in a non-
14 caregiving role at the time of an incident.

15 (B) ELEMENTS.—The centralized database
16 required by this paragraph shall include, for
17 each incident within the database, the following:

18 (i) Information pertinent to a deter-
19 mination by the Family Advocacy Program
20 whether such incident meets the criteria of
21 the Department for treatment as an inci-
22 dent of child abuse.

23 (ii) The results of any investigation of
24 such incident by a military criminal inves-
25 tigation organization.

1 (iii) Information on the ultimate dis-
2 position of the incident, if any, including
3 any administrative or prosecutorial action
4 taken.

5 (C) ANNUAL REPORTS ON INFORMA-
6 TION.—The information collected and main-
7 tained in the centralized database shall be re-
8 ported on an annual basis as part of the annual
9 reports from the Family Advocacy Program on
10 child abuse and domestic abuse in the military
11 as required by section 574 of the National De-
12 fense Authorization Act for Fiscal Year 2017
13 (Public Law 114–328; 130 Stat. 2141).

14 (D) BRIEFINGS.—Not later than March
15 31, 2021, and every six months thereafter until
16 the centralized database required by this para-
17 graph is fully operational, the Secretary shall
18 brief the Committees on Armed Services of the
19 Senate and the House of Representatives on the
20 status of the database.

21 (3) DEPARTMENT OF DEFENSE EDUCATION AC-
22 TIVITY GUIDANCE.—The Department of Defense
23 Education Activity (DoDEA) shall issue clarifica-
24 tions of its guidance on the incidents of child-on-
25 child abuse that qualify as serious incidents for pur-

1 poses of requirements for the reporting of such seri-
2 ous incidents by school administrators to Activity
3 leadership.

4 (c) RESPONSE PROCEDURES.—

5 (1) INCIDENT DETERMINATION COMMITTEE
6 MEMBERSHIP.—The Department of Defense Family
7 Advocacy Program shall ensure that the voting
8 membership of each Incident Determination Com-
9 mittee on a military installation includes medical
10 personnel with the requisite knowledge and expertise
11 to determine whether a reported covered incident of
12 abuse meets the criteria of the Department of De-
13 fense for treatment as child abuse.

14 (2) SCREENING REPORTED INCIDENTS OF
15 CHILD ABUSE.—

16 (A) DEVELOPMENT OF STANDARDIZED
17 PROCESS.—The Department of Defense Family
18 Advocacy Program shall develop a standardized
19 process by which the Family Advocacy Pro-
20 grams of the military departments screen re-
21 ported covered incidents of child abuse to deter-
22 mine whether to present such incident to an In-
23 cident Determination Committee.

24 (B) MONITORING.—The Secretary of each
25 military department shall develop a process to

1 monitor the manner in which reported covered
2 incidents of child abuse are screened by each in-
3 stallation under the jurisdiction of such Sec-
4 retary in order to ensure that such screening
5 complies with the standardized screening proc-
6 ess developed pursuant to subparagraph (A).

7 (3) REQUIRED NOTIFICATIONS.—

8 (A) DOCUMENTATION.—The Secretary of
9 each military department shall require that in-
10 stallation Family Advocacy Programs and mili-
11 tary criminal investigation organizations under
12 the jurisdiction of such Secretary document in
13 their respective databases the date on which
14 they notified the other of a reported covered in-
15 cident of child abuse.

16 (B) OVERSIGHT.—The Secretary of each
17 military department shall require that the Fam-
18 ily Advocacy Program of such military depart-
19 ment, and the headquarters of the military
20 criminal investigation organizations of such
21 military department, to develop processes to
22 oversee the documentation of notifications re-
23 quired by subparagraph (A) in order to ensure
24 that such notifications occur on a consistent
25 basis at installation level.

1 (4) CERTIFIED PEDIATRIC SEXUAL ASSAULT
2 FORENSIC EXAMINERS.—

3 (A) GEOGRAPHIC REGIONS FOR EXAM-
4 INERS.—The Under Secretary of Defense for
5 Personnel and Readiness shall specify geo-
6 graphic regions in which military families reside
7 for purposes of the availability of and access to
8 certified pediatric sexual assault examiners in
9 such regions.

10 (B) AVAILABILITY.—The Under Secretary
11 shall ensure that—

12 (i) one or more certified pediatric sex-
13 ual assault examiners are located in each
14 geographic region specified pursuant to
15 subparagraph (A); and

16 (ii) examiners so located serve as cer-
17 tified pediatric sexual assault examiners
18 throughout such region, without regard to
19 Armed Force or installation.

20 (5) REMOVAL OF CHILDREN FROM UNSAFE
21 HOMES OVERSEAS.—The Secretary of Defense shall,
22 in consultation with the Secretaries of the military
23 departments, issue policy that clarifies and stand-
24 ardizes across the Armed Forces the circumstances

1 under which a commander may remove a child from
2 a potentially unsafe home at an installation overseas.

3 (6) RESOURCE GUIDE FOR FAMILIES AFFECTED
4 BY CHILD ABUSE.—

5 (A) IN GENERAL.—The Secretary of each
6 military department shall develop and maintain
7 a comprehensive guide on resources available
8 through the Department of Defense and such
9 military department for military families under
10 this jurisdiction of such Secretary who are af-
11 fected by child abuse.

12 (B) ELEMENTS.—Each guide under this
13 paragraph shall include the following:

14 (i) Information on the response proc-
15 esses of the Family Advocacy Programs
16 and military criminal investigation organi-
17 zations of the military department con-
18 cerned.

19 (ii) Lists of available support services,
20 such as legal, medical, and victim advocacy
21 services, through the Department of De-
22 fense and the military department con-
23 cerned.

24 (C) DISTRIBUTION.—A resource guide
25 under this paragraph shall be presented to a

1 military family by an installation Family Advocacy Program and military criminal investigation personnel at the time a covered incident of child abuse involving a child in such family is reported.

2 (D) AVAILABILITY ON INTERNET.—A current version of each resource guide under this paragraph shall be available to the public on an Internet website of the military department concerned available to the public.

3 (d) COORDINATION AND COLLABORATION WITH NON-MILITARY RESOURCES.—

4 (1) COORDINATION WITH STATES.—The Secretary of Defense shall—

5 (A) continue the outreach efforts of the Department of Defense to the States in order to ensure that States are notified when a member of the Armed Forces or a military dependent is involved in a reported incident of child abuse off a military installation; and

6 (B) increase efforts at information sharing between the Department and the States on such incidents of child abuse, including entry into memoranda of understanding with State child

1 welfare agencies on information sharing in con-
2 nection with such incidents.

3 (2) COLLABORATION WITH NATIONAL CHIL-
4 DREN'S ALLIANCE.—

5 (A) MEMORANDA OF UNDERSTANDING.—

6 The Secretary of each military department shall
7 seek to enter into a memorandum of under-
8 standing with the National Children's Alliance
9 under which—

10 (i) the children's advocacy center serv-
11 ices of the Alliance are available to all in-
12 stallations in the continental United States
13 under the jurisdiction of such Secretary;
14 and

15 (ii) members of the Armed Forces
16 under the jurisdiction of such Secretary
17 are made aware of the nature and avail-
18 ability of such services.

19 (B) PARTICIPATION OF CERTAIN ENTI-
20 TIES.—Each memorandum of understanding
21 under this paragraph shall provide for the ap-
22 propriate participation of the Family Advocacy
23 Program and military criminal investigation or-
24 ganizations of the military department con-

1 cerned in activities under such memorandum of
2 understanding.

3 (C) BRIEFING.—Not later than one year
4 after the date of the enactment of this Act, the
5 Secretary of each military department shall pro-
6 vide to the Committees on Armed Services of
7 the Senate and the House of Representatives a
8 briefing on the status of the development of a
9 memorandum of understanding with the Na-
10 tional Children’s Alliance under this paragraph,
11 together with information on which installa-
12 tions, if any, under the jurisdiction of such Sec-
13 retary have entered into a written agreement
14 with a local children’s advocacy center with re-
15 spect to child abuse on such installations.

16 **SEC. 576. MILITARY CHILD CARE AND CHILD DEVELOP-**
17 **MENT CENTER MATTERS.**

18 (a) CENTER FEES MATTERS.—Section 1793 of title
19 10, United States Code, is amended by adding at the end
20 the following new subsections:

21 “(c) LIBERAL ISSUANCE OF HARDSHIP WAIVERS.—
22 The regulations prescribed pursuant to subsection (a)
23 shall require that installation commanders issue waivers
24 of fees otherwise established under the regulations for in-
25 ability to pay (commonly referred to as ‘hardship waivers’)

1 on a liberal basis in a manner consistent (as specified by
2 the Secretary in such regulations) with ensuring that fees
3 collected pursuant to subsection (a) meet the operating ex-
4 penses of the child development centers concerned.

5 “(d) FAMILY DISCOUNT.—In the case of a family
6 with two or more children attending a child development
7 center, the regulations prescribed pursuant to subsection
8 (a) shall require that installations commanders charge a
9 fee for attendance at the center of any child of the family
10 after the first child of the family in amount equal to 85
11 percent of the amount of the fee otherwise chargeable for
12 the attendance of such child at the center.”.

13 (b) CHILD CARE FEE ASSISTANCE PROGRAMS
14 THROUGHOUT THE ARMED FORCES.—

15 (1) PROGRAMS AUTHORIZED.—Each Secretary
16 of a military department may carry out a program
17 for each Armed Force under the jurisdiction of such
18 Secretary under which a member of the Armed
19 Forces who is obtaining child care services from a
20 civilian child care services provider located off a mili-
21 tary installation is paid (subject to any limitation es-
22 tablished by such Secretary) a monthly amount
23 equal to the amount, if any, by which—

24 (A) the monthly amount charged by such
25 provider for such services; exceeds

1 (B) the monthly amount the military de-
2 partment concerned pays or otherwise provides
3 members at such installation for child care serv-
4 ices on such installation.

5 (2) MODEL.—Any program carried out pursu-
6 ant to paragraph (1) shall be modeled after the
7 Army Fee Assistance Program, and incorporate such
8 modifications to that Program as the Secretary of
9 the military department concerned considers appro-
10 priate.

11 (3) SECRETARY OF DEFENSE APPROVAL.—Any
12 program of an Armed Force under paragraph (1)
13 shall be subject to the approval of the Secretary of
14 Defense.

15 (c) ADDITIONAL ACTIONS TO OBTAIN QUALIFIED
16 CHILD CARE EMPLOYEES.—

17 (1) IN GENERAL.—Section 1792 of title 10,
18 United States Code, is amended—

19 (A) by redesignating subsection (d) as sub-
20 section (e); and

21 (B) by inserting after subsection (c) the
22 following new subsection (d):

23 “(d) ADDITIONAL ACTIONS TO OBTAIN QUALIFIED
24 EMPLOYEES.—Each Secretary of a military department
25 may, with the approval of the Secretary of Defense, take

1 actions in addition to actions authorized by subsection (c)
2 to provide military child development centers under the
3 jurisdiction of such Secretary with a qualified and stable
4 civilian workforce, including actions as follows:

5 “(1) Enhanced marketing and recruitment for
6 employment.

7 “(2) Provision to employees of education-related
8 benefits, including tuition assistance and student
9 loan repayment programs.

10 “(3) Availability and enhancement of wellness
11 and physical fitness programs for employees.

12 “(4) Provision of such other competitive bene-
13 fits as the Secretary of the military department and
14 the Secretary of Defense jointly consider appro-
15 priate.”.

16 (2) REPORTS ON INSTALLATIONS WITH EX-
17 TREME IMBALANCE BETWEEN DEMAND FOR AND
18 AVAILABILITY OF CHILD CARE.—Not later than one
19 year after the date of the enactment of this Act,
20 each Secretary of a military department shall submit
21 to Congress a report on the military installations
22 under the jurisdiction of such Secretary with an ex-
23 treme imbalance between demand for child care and
24 availability of child care. Each report shall include,

1 for the military department covered by such report,
2 the following:

3 (A) The name of the five installations of
4 the military department experiencing the most
5 extreme imbalance between demand for child
6 care and availability of child care.

7 (B) For each installation named pursuant
8 to subparagraph (A), the following:

9 (i) An assessment whether civilian em-
10 ployees at child development centers at
11 such installation have rates of pay and
12 benefits that are competitive with other ci-
13 vilian employees on such installation and
14 with the civilian labor pool in the vicinity
15 of such installation.

16 (ii) A description and assessment of
17 various incentives to encourage military
18 spouses to become providers under the
19 Family Child Care program at such instal-
20 lation.

21 (iii) Such recommendations at the
22 Secretary of the military department con-
23 cerned considers appropriate to address
24 the imbalance between demand for child
25 care and availability of child care at such

1 installation, including recommendations to
 2 enhance the competitiveness of civilian
 3 child care positions at such installation
 4 with other civilian positions at such instal-
 5 lation and the civilian labor pool in the vi-
 6 cinity of such installation.

7 **SEC. 577. EXPANSION OF FINANCIAL ASSISTANCE UNDER**
 8 **MY CAREER ADVANCEMENT ACCOUNT PRO-**
 9 **GRAM.**

10 Section 580F of the National Defense Authorization
 11 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
 12 ed—

13 (1) by inserting “(a) PROFESSIONAL LICENSE
 14 OR CERTIFICATION; ASSOCIATE’S DEGREE.—” be-
 15 fore “The Secretary”;

16 (2) by inserting “or maintenance (including
 17 continuing education courses)” after “pursuit”; and

18 (3) by adding at the end the following new sub-
 19 section:

20 “(b) NATIONAL TESTING.—Financial assistance
 21 under subsection (a) may be applied to the costs of na-
 22 tional tests that may earn a participating military spouse
 23 course credits required for a degree approved under the
 24 program (including the College Level Examination Pro-
 25 gram tests).”.

1 **Subtitle H—Other Matters**

2 **SEC. 586. REMOVAL OF PERSONALLY IDENTIFYING AND**
3 **OTHER INFORMATION OF CERTAIN PERSONS**
4 **FROM INVESTIGATIVE REPORTS, THE DE-**
5 **PARTMENT OF DEFENSE CENTRAL INDEX OF**
6 **INVESTIGATIONS, AND OTHER RECORDS AND**
7 **DATABASES.**

8 (a) **POLICY AND PROCESS REQUIRED.**—Not later
9 than October 1, 2021, the Secretary of Defense shall es-
10 tablish and maintain a policy and process through which
11 any covered person may request that the person’s name,
12 personally identifying information, and other information
13 pertaining to the person shall, in accordance with sub-
14 section (c), be corrected in, or expunged or otherwise re-
15 moved from, the following:

16 (1) A law enforcement or criminal investigative
17 report of the Department of Defense or any compo-
18 nent of the Department.

19 (2) An index item or entry in the Department
20 of Defense Central Index of Investigations (DCII).

21 (3) Any other record maintained in connection
22 with a report described in paragraph (1), or an
23 index item or entry described in paragraph (2), in
24 any system of records, records database, records

1 center, or repository maintained by or on behalf of
2 the Department.

3 (b) COVERED PERSONS.—For purposes of this sec-
4 tion, a covered person is any person whose name was
5 placed or reported, or is maintained—

6 (1) in the subject or title block of a law enforce-
7 ment or criminal investigative report of the Depart-
8 ment of Defense (or any component of the Depart-
9 ment);

10 (2) as an item or entry in the Department of
11 Defense Central Index of Investigations; or

12 (3) in any other record maintained in connec-
13 tion with a report described in paragraph (1), or an
14 index item or entry described in paragraph (2), in
15 any system of records, records database, records
16 center, or repository maintained by or on behalf of
17 the Department.

18 (c) ELEMENTS.—The policy and process required by
19 subsection (a) shall include the following elements:

20 (1) BASIS FOR CORRECTION OR
21 EXPUNGEMENT.—That the name, personally identi-
22 fying information, and other information of a cov-
23 ered person shall be corrected in, or expunged or
24 otherwise removed from, a report, item or entry, or

1 record described in paragraphs (1) through (3) of
2 subsection (a) in the following circumstances:

3 (A) Probable cause did not or does not
4 exist to believe that the offense for which the
5 person's name was placed or reported, or is
6 maintained, in such report, item or entry, or
7 record occurred, or insufficient evidence existed
8 or exists to determine whether or not such of-
9 fense occurred.

10 (B) Probable cause did not or does not
11 exist to believe that the person actually com-
12 mitted the offense for which the person's name
13 was so placed or reported, or is so maintained,
14 or insufficient evidence existed or exists to de-
15 termine whether or not the person actually com-
16 mitted such offense.

17 (C) Such other circumstances, or on such
18 other bases, as the Secretary may specify in es-
19 tablishing the policy and process, which cir-
20 cumstances and bases may not be inconsistent
21 with the circumstances and bases provided by
22 subparagraphs (A) and (B).

23 (2) CONSIDERATIONS.—While not dispositive as
24 to the existence of a circumstance or basis set forth
25 in paragraph (1), the following shall be considered

1 in the determination whether such circumstance or
2 basis applies to a covered person for purposes of this
3 section:

4 (A) The extent or lack of corroborating
5 evidence against the covered person concerned
6 with respect to the offense at issue.

7 (B) Whether adverse administrative, dis-
8 ciplinary, judicial, or other such action was ini-
9 tiated against the covered person for the offense
10 at issue.

11 (C) The type, nature, and outcome of any
12 action described in subparagraph (B) against
13 the covered person.

14 (3) PROCEDURES.—The policy and process re-
15 quired by subsection (a) shall include procedures as
16 follows:

17 (A) Procedures under which a covered per-
18 son may appeal a determination of the applica-
19 ble component of the Department of Defense
20 denying, whether in whole or in part, a request
21 for purposes of subsection (a).

22 (B) Procedures under which the applicable
23 component of the Department will correct, ex-
24 punge or remove, take other appropriate action
25 on, or assist a covered person in so doing, any

1 record maintained by a person, organization, or
2 entity outside of the Department to which such
3 component provided, submitted, or transmitted
4 information about the covered person, which in-
5 formation has or will be corrected in, or ex-
6 punged or removed from, Department records
7 pursuant to this section.

8 (C) The timeline pursuant to which the
9 Department, or a component of the Depart-
10 ment, as applicable, will respond to each of the
11 following:

12 (i) A request pursuant to subsection

13 (a).

14 (ii) An appeal under the procedures
15 required by subparagraph (A).

16 (iii) A request for assistance under
17 the procedures required by subparagraph
18 (B).

19 (D) Mechanisms through which the De-
20 partment will keep a covered person apprised of
21 the progress of the Department on a covered
22 person's request or appeal as described in sub-
23 paragraph (C).

24 (d) APPLICABILITY.—The policy and process re-
25 quired to be developed by the Secretary under subsection

1 (a) shall not be subject to the notice and comment rule-
 2 making requirements under section 553 of title 5, United
 3 States Code.

4 (e) REPORT.—Not later than October 1, 2021, the
 5 Secretary shall submit to the Committees on Armed Serv-
 6 ices of the Senate and the House of Representatives a re-
 7 port on the actions taken to carry out this section, includ-
 8 ing a comprehensive description of the policy and process
 9 developed and implemented by the Secretary under sub-
 10 section (a).

11 **SEC. 587. NATIONAL EMERGENCY EXCEPTION FOR TIMING**
 12 **REQUIREMENTS WITH RESPECT TO CERTAIN**
 13 **SURVEYS OF MEMBERS OF THE ARMED**
 14 **FORCES.**

15 (a) MEMBERS OF REGULAR AND RESERVE COMPO-
 16 NENTS.—Subsection (d) of section 481 of title 10, United
 17 States Code, is amended to read as follows:

18 “(d) WHEN SURVEYS REQUIRED.—(1) The Armed
 19 Forces Workplace and Gender Relations Surveys of the
 20 Active Duty and the Armed Forces Workplace and Gender
 21 Relations Survey of the Reserve Components shall each
 22 be conducted once every two years. The surveys may be
 23 conducted within the same year or in two separate years,
 24 and shall be conducted in a manner designed to reduce
 25 the burden of the surveys on members of the armed forces.

1 “(2) The two Armed Forces Workplace and Equal
2 Opportunity Surveys shall be conducted at least once every
3 four years. The surveys may be conducted within the same
4 year or in two separate years, and shall be conducted in
5 a manner designed to reduce the burden of the surveys
6 on members of the armed forces.

7 “(3)(A) The Secretary of Defense may postpone the
8 conduct of a survey under this section if the Secretary de-
9 termines that conducting such survey is not practicable
10 due to a war or national emergency declared by the Presi-
11 dent or Congress.

12 “(B) The Secretary shall ensure that a survey post-
13 poned under subparagraph (A) is conducted as soon as
14 practicable after the end of the period of war or national
15 emergency concerned, or earlier if the Secretary deter-
16 mines appropriate.

17 “(C) The Secretary shall notify Congress of a deter-
18 mination under subparagraph (A) not later than 30 days
19 after the date on which the Secretary makes such deter-
20 mination.”.

21 (b) CADETS AND MIDSHIPMEN.—

22 (1) UNITED STATES MILITARY ACADEMY.—Sec-
23 tion 7461(c) of title 10, United States Code, is
24 amended by adding at the end the following new
25 paragraph:

1 “(3)(A) The Secretary of Defense may postpone the
2 conduct of an assessment under this subsection if the Sec-
3 retary determines that conducting such assessment is not
4 practicable due to a war or national emergency declared
5 by the President or Congress.

6 “(B) The Secretary of Defense shall ensure that an
7 assessment postponed under subparagraph (A) is con-
8 ducted as soon as practicable after the end of the period
9 of war or national emergency concerned, or earlier if the
10 Secretary determines appropriate.

11 “(C) The Secretary of Defense shall notify Congress
12 of a determination under subparagraph (A) not later than
13 30 days after the date on which the Secretary makes such
14 determination.”.

15 (2) UNITED STATES NAVAL ACADEMY.—Section
16 8480(c) of such title is amended by adding at the
17 end the following new paragraph:

18 “(3)(A) The Secretary of Defense may postpone the
19 conduct of an assessment under this subsection if the Sec-
20 retary determines that conducting such assessment is not
21 practicable due to a war or national emergency declared
22 by the President or Congress.

23 “(B) The Secretary of Defense shall ensure that an
24 assessment postponed under subparagraph (A) is con-
25 ducted as soon as practicable after the end of the period

1 of war or national emergency concerned, or earlier if the
2 Secretary determines appropriate.

3 “(C) The Secretary of Defense shall notify Congress
4 of a determination under subparagraph (A) not later than
5 30 days after the date on which the Secretary makes such
6 determination.”.

7 (3) UNITED STATES AIR FORCE ACADEMY.—
8 Section 9461(c) of such title is amended by adding
9 at the end the following new paragraph:

10 “(3)(A) The Secretary of Defense may postpone the
11 conduct of an assessment under this subsection if the Sec-
12 retary determines that conducting such assessment is not
13 practicable due to a war or national emergency declared
14 by the President or Congress.

15 “(B) The Secretary of Defense shall ensure that an
16 assessment postponed under subparagraph (A) is con-
17 ducted as soon as practicable after the end of the period
18 of war or national emergency concerned, or earlier if the
19 Secretary determines appropriate.

20 “(C) The Secretary of Defense shall notify Congress
21 of a determination under subparagraph (A) not later than
22 30 days after the date on which the Secretary makes such
23 determination.”.

24 (c) DEPARTMENT OF DEFENSE CIVILIAN EMPLOY-
25 EES.—Section 481a of title 10, United States Code, is

1 amended by adding at the end the following new sub-
2 section:

3 “(d) POSTPONEMENT.—(1) The Secretary of Defense
4 may postpone the conduct of a survey under this section
5 if the Secretary determines that conducting such survey
6 is not practicable due to a war or national emergency de-
7 clared by the President or Congress.

8 “(2) The Secretary shall ensure that a survey post-
9 poned under paragraph (1) is conducted as soon as prac-
10 ticable after the end of the period of war or national emer-
11 gency concerned, or earlier if the Secretary determines ap-
12 propriate.

13 “(3) The Secretary shall notify Congress of a deter-
14 mination under paragraph (1) not later than 30 days after
15 the date on which the Secretary makes such determina-
16 tion.”.

17 **SEC. 588. SUNSET AND TRANSFER OF FUNCTIONS OF THE**
18 **PHYSICAL DISABILITY BOARD OF REVIEW.**

19 Section 1554a of title 10, United States Code, is
20 amended by adding at the end the following new sub-
21 section:

22 “(g) SUNSET.—(1) On or after October 1, 2020, the
23 Secretary of Defense may sunset the Physical Disability
24 Board of Review under this section.

1 “(2) If the Secretary sunsets the Physical Disability
 2 Board of Review under paragraph (1), the Secretary shall
 3 transfer any remaining requests for review pending at that
 4 time, and shall assign any new requests for review under
 5 this section, to a board for the correction of military
 6 records operated by the Secretary concerned under section
 7 1552 of this title..

8 “(3) Subsection (c)(4) shall not apply with respect
 9 to any review conducted by a board for the correction of
 10 military records under paragraph (2).”.

11 **SEC. 589. EXTENSION OF REPORTING DEADLINE FOR THE**
 12 **ANNUAL REPORT ON THE ASSESSMENT OF**
 13 **THE EFFECTIVENESS OF ACTIVITIES OF THE**
 14 **FEDERAL VOTING ASSISTANCE PROGRAM.**

15 (a) **ELIMINATION OF REPORTS FOR NON-ELECTION**
 16 **YEARS.**—Section 105A(b) of the Uniformed and Overseas
 17 Citizens Absentee Voting Act (52 U.S.C. 20308(b)) is
 18 amended, in the matter preceding paragraph (1)—

19 (1) by striking “March 31 of each year” and in-
 20 sserting “September 30 of each odd-numbered year”;
 21 and

22 (2) by striking “the following information” and
 23 inserting “the following information with respect to
 24 the Federal elections held during the preceding cal-
 25 endar year”.

1 (b) CONFORMING AMENDMENTS.—Subsection (b) of
 2 section 105A of such Act (52 U.S.C. 20308(b)) is amend-
 3 ed—

4 (1) in the subsection heading, by striking “AN-
 5 NUAL REPORT” and inserting “BIENNIAL REPORT”;
 6 and

7 (2) in paragraph (3), by striking “In the case
 8 of” and all that follows through “a description” and
 9 inserting “A description”.

10 **SEC. 590. PILOT PROGRAMS ON REMOTE PROVISION BY NA-**
 11 **TIONAL GUARD TO STATE GOVERNMENTS**
 12 **AND NATIONAL GUARDS OF OTHER STATES**
 13 **OF CYBERSECURITY TECHNICAL ASSISTANCE**
 14 **IN TRAINING, PREPARATION, AND RESPONSE**
 15 **TO CYBER INCIDENTS.**

16 (a) PILOT PROGRAMS AUTHORIZED.—The Secretary
 17 of the Army and the Secretary of the Air Force may each,
 18 in consultation with the Chief of the National Guard Bu-
 19 reau, conduct a pilot program to assess the feasibility and
 20 advisability of the development of a capability within the
 21 National Guard through which a National Guard of a
 22 State remotely provides State governments and National
 23 Guards of other States (whether or not in the same Armed
 24 Force as the providing National Guard) with cybersecurity
 25 technical assistance in training, preparation, and response

1 to cyber incidents. If such Secretary elects to conduct such
2 a pilot program, such Secretary shall be known as an “ad-
3 ministering Secretary” for purposes of this section, and
4 any reference in this section to “the pilot program” shall
5 be treated as a reference to the pilot program conducted
6 by such Secretary.

7 (b) ASSESSMENT PRIOR TO COMMENCEMENT.—For
8 purposes of evaluating existing platforms, technologies,
9 and capabilities under subsection (c), and for establishing
10 eligibility and participation requirements under subsection
11 (d), for purposes of the pilot program, an administering
12 Secretary, in consultation with the Chief of the National
13 Guard Bureau, shall, prior to commencing the pilot pro-
14 gram—

15 (1) conduct an assessment of—

16 (A) existing cyber response capacities of
17 the Army National Guard or Air National
18 Guard, as applicable, in each State; and

19 (B) any existing platform, technology, or
20 capability of a National Guard that provides the
21 capability described in subsection (a); and

22 (2) determine whether a platform, technology,
23 or capability described in paragraph (1)(B) is suit-
24 able for expansion for purposes of the pilot program.

1 (c) ELEMENTS.—A pilot program under subsection
2 (a) shall include the following:

3 (1) A technical capability that enables the Na-
4 tional Guard of a State to remotely provide cyberse-
5 curity technical assistance to State governments and
6 National Guards of other States, without the need to
7 deploy outside its home State.

8 (2) Policies, processes, procedures, and authori-
9 ties for use of such a capability, including with re-
10 spect to the following:

11 (A) The roles and responsibilities of both
12 requesting and deploying State governments
13 and National Guards with respect to such tech-
14 nical assistance, taking into account the mat-
15 ters specified in subsection (f).

16 (B) Necessary updates to the Defense
17 Cyber Incident Coordinating Procedure, or any
18 other applicable Department of Defense instruc-
19 tion, for purposes of implementing the capa-
20 bility.

21 (C) Program management and governance
22 structures for deployment and maintenance of
23 the capability.

1 (D) Security when performing remote sup-
2 port, including such in matters such as authen-
3 tication and remote sensing.

4 (3) The conduct, in coordination with the Chief
5 of the National Guard Bureau and the Secretary of
6 Homeland Security and in consultation with the Di-
7 rector of the Federal Bureau of Investigation, other
8 Federal agencies, and appropriate non-Federal enti-
9 ties, of at least one exercise to demonstrate the ca-
10 pability, which exercise shall include the following:

11 (A) Participation of not fewer than two
12 State governments and their National Guards.

13 (B) Circumstances designed to test and
14 validate the policies, processes, procedures, and
15 authorities developed pursuant to paragraph
16 (2).

17 (C) An after action review of the exercise.

18 (d) USE OF EXISTING TECHNOLOGY.—An admin-
19 istering Secretary may use an existing platform, tech-
20 nology, or capability to provide the capability described in
21 subsection (a) under the pilot program.

22 (e) ELIGIBILITY AND PARTICIPATION REQUIRE-
23 MENTS.—An administering Secretary shall, in consulta-
24 tion with the Chief of the National Guard Bureau, estab-
25 lish requirements with respect to eligibility and participa-

1 tion of State governments and their National Guards in
2 the pilot program.

3 (f) CONSTRUCTION WITH CERTAIN CURRENT AU-
4 THORITIES.—

5 (1) COMMAND AUTHORITIES.—Nothing in a
6 pilot program under subsection (a) may be construed
7 as affecting or altering the command authorities
8 otherwise applicable to any unit of the National
9 Guard unit participating in the pilot program.

10 (2) EMERGENCY MANAGEMENT ASSISTANCE
11 COMPACT.—Nothing in a pilot program may be con-
12 strued as affecting or altering any current agree-
13 ment under the Emergency Management Assistance
14 Compact, or any other State agreements, or as de-
15 terminative of the future content of any such agree-
16 ment.

17 (g) EVALUATION METRICS.—An administering Sec-
18 retary shall, in consultation with the Chief of the National
19 Guard Bureau and the Secretary of Homeland Security,
20 establish metrics to evaluate the effectiveness of the pilot
21 program.

22 (h) TERM.—A pilot program under subsection (a)
23 shall terminate on the date that is three years after the
24 date of the commencement of the pilot program.

25 (i) REPORTS.—

1 (1) INITIAL REPORT.—Not later than 180 days
2 after the date of the commencement of the pilot pro-
3 gram, the administering Secretary shall submit to
4 the appropriate committees of Congress a report set-
5 ting forth a description of the pilot program and
6 such other matters in connection with the pilot pro-
7 gram as the Secretary considers appropriate.

8 (2) FINAL REPORT.—Not later than 180 days
9 after the termination of the pilot program, the ad-
10 ministering Secretary shall submit to the appro-
11 priate committees of Congress a report on the pilot
12 program. The report shall include the following:

13 (A) A description of the pilot program, in-
14 cluding any partnerships entered into by the
15 Chief of the National Guard Bureau under the
16 pilot program.

17 (B) A summary of the assessment per-
18 formed prior to the commencement of the pilot
19 program in accordance with subsection (b).

20 (C) A summary of the evaluation metrics
21 established in accordance with subsection (g).

22 (D) An assessment of the effectiveness of
23 the pilot program, and of the capability de-
24 scribed in subsection (a) under the pilot pro-
25 gram.

1 (E) A description of costs associated with
2 the implementation and conduct of the pilot
3 program.

4 (F) A recommendation as to the termi-
5 nation or extension of the pilot program, or the
6 making of the pilot program permanent with an
7 expansion nationwide.

8 (G) An estimate of the costs of making the
9 pilot program permanent and expanding it na-
10 tionwide in accordance with the recommenda-
11 tion in subparagraph (F).

12 (H) Such recommendations for legislative
13 or administrative action as the Secretary con-
14 siders appropriate in light of the pilot program.

15 (3) APPROPRIATE COMMITTEES OF CONGRESS
16 DEFINED.—In this subsection, the term “appro-
17 priate committees of Congress” means—

18 (A) the Committee on Armed Services and
19 the Committee on Homeland Security and Gov-
20 ernmental Affairs of the Senate; and

21 (B) the Committee on Armed Services and
22 the Committee on Homeland Security of the
23 House of Representatives.

24 (j) STATE DEFINED.—In this section, the term
25 “State” means each of the several States, the District of

1 Columbia, the Commonwealth of Puerto Rico, American
2 Samoa, Guam, the United States Virgin Islands, and the
3 Commonwealth of the Northern Mariana Islands.

4 **SEC. 591. PLAN ON PERFORMANCE OF FUNERAL HONORS**
5 **DETAILS BY MEMBERS OF OTHER ARMED**
6 **FORCES WHEN MEMBERS OF THE ARMED**
7 **FORCE OF THE DECEASED ARE UNAVAIL-**
8 **ABLE.**

9 (a) BRIEFING ON PLAN.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the Sec-
12 retary of Defense shall provide a briefing to the
13 Committees on Armed Services of the Senate and
14 the House of Representatives setting forth a plan for
15 the performance of a funeral honors detail at the fu-
16 neral of a deceased member of the Armed Forces by
17 one or more members of the Armed Forces from an
18 Armed Force other than that of the deceased
19 when—

20 (A) members of the Armed Force of the
21 deceased are unavailable for the performance of
22 the detail; and

23 (B) the performance of the detail by mem-
24 bers of other Armed Forces is requested by the
25 family of the deceased.

1 results of a study, conducted for purposes of this section
2 by an entity independent of the Department of Defense,
3 on the following:

4 (1) The extent, if any, to which the test would
5 adversely impact members of the Army stationed or
6 deployed to climates or areas with conditions that
7 make prohibitive the conduct of outdoor physical
8 training on a frequent or sustained basis.

9 (2) The extent, if any, to which the test would
10 affect recruitment and retention in critical support
11 military occupational specialties (MOS) of the Army,
12 such as medical personnel.

13 **SEC. 593. REPORT ON IMPACT OF CHILDREN OF CERTAIN**
14 **FILIPINO WORLD WAR II VETERANS ON NA-**
15 **TIONAL SECURITY, FOREIGN POLICY, AND**
16 **ECONOMIC AND HUMANITARIAN INTERESTS**
17 **OF THE UNITED STATES.**

18 (a) IN GENERAL.—Not later than December 31,
19 2020, the Secretary of Homeland Security, in consultation
20 with the Secretary of Defense and the Secretary of State,
21 shall submit to the congressional defense committees a re-
22 port on the impact of the children of certain Filipino
23 World War II veterans on the national security, foreign
24 policy, and economic and humanitarian interests of the
25 United States.

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

3 (1) The number of Filipino World War II vet-
4 erans who fought under the United States flag dur-
5 ing World War II to protect and defend the United
6 States in the Pacific theater.

7 (2) The number of Filipino World War II vet-
8 erans who died fighting under the United States flag
9 during World War II to protect and defend the
10 United States in the Pacific theater.

11 (3) An assessment of the economic and tax con-
12 tributions that Filipino World War II veterans and
13 their families have made to the United States.

14 (4) An assessment of the impact on the United
15 States of exempting from the numerical limitations
16 on immigrant visas the children of the Filipino
17 World War II veterans who were naturalized
18 under—

19 (A) section 405 of the Immigration Act of
20 1990 (Public Law 101–649; 8 U.S.C. 1440
21 note); or

22 (B) title III of the Nationality Act of 1940
23 (54 Stat. 1137; chapter 876), as added by sec-
24 tion 1001 of the Second War Powers Act, 1942
25 (56 Stat. 182; chapter 199).

1 **TITLE VI—COMPENSATION AND**
 2 **OTHER PERSONNEL BENEFITS**
 3 **Subtitle A—Pay and Allowances**

4 **SEC. 601. REORGANIZATION OF CERTAIN ALLOWANCES**
 5 **OTHER THAN TRAVEL AND TRANSPORTATION**
 6 **ALLOWANCES.**

7 (a) PER DIEM FOR DUTY OUTSIDE THE CONTI-
 8 NENTAL UNITED STATES.—

9 (1) TRANSFER TO CHAPTER 7.—Section 475 of
 10 title 37, United States Code, is transferred to chap-
 11 ter 7 of such title, inserted after section 403b, and
 12 redesignated as section 405.

13 (2) REPEAL OF TERMINATION PROVISION.—
 14 Section 405 of title 37, United States Code, as
 15 added by paragraph (1), is amended by striking sub-
 16 section (f).

17 (3) RETITLING OF AUTHORITY.—The heading
 18 of section 405 of title 37, United States Code, as so
 19 added, is amended to read as follows:

20 **“§ 405. Per diem while on duty outside the conti-**
 21 **mental United States”.**

22 (b) ALLOWANCE FOR FUNERAL HONORS DUTY.—

23 (1) TRANSFER TO CHAPTER 7.—Section 495 of
 24 title 37, United States Code, is transferred to chap-

1 ter 7 of such title, inserted after section 433a, and
 2 redesignated as section 435.

3 (2) REPEAL OF TERMINATION PROVISION.—
 4 Section 435 of title 37, United States Code, as
 5 added by paragraph (1), is amended by striking sub-
 6 section (c).

7 (c) CLERICAL AMENDMENTS.—

8 (1) CHAPTER 7.—The table of sections at the
 9 beginning of chapter 7 of such title 37, United
 10 States Code, is amended—

11 (A) by inserting after the item relating to
 12 section 403b the following new item:

“405. Per diem while on duty outside the continental United States.”;

13 and

14 (B) by inserting after the item relating to
 15 section 433a the following new item:

“435. Funeral honors duty: allowance.”.

16 (2) CHAPTER 8.—The table of sections at the
 17 beginning of chapter 8 of such title is amended by
 18 striking the items relating to sections 475 and 495.

19 **SEC. 602. HAZARDOUS DUTY PAY FOR MEMBERS OF THE**
 20 **ARMED FORCES PERFORMING DUTY IN RE-**
 21 **SPONSE TO THE CORONAVIRUS DISEASE 2019.**

22 (a) IN GENERAL.—The Secretary of the military de-
 23 partment concerned shall pay hazardous duty pay under

1 this section to a member of a regular or reserve component
2 of the Armed Forces who—

3 (1) performs duty in response to the
4 Coronavirus Disease 2019 (COVID–19); and

5 (2) is entitled to basic pay under section 204 of
6 title 37, United States Code, or compensation under
7 section 206 of such title, for the performance of
8 such duty.

9 (b) REGULATIONS.—Hazardous duty pay shall be
10 payable under this section in accordance with regulations
11 prescribed by the Secretary of Defense. Such regulations
12 shall specify the duty in response to the Coronavirus Dis-
13 ease 2019 qualifying a member for payment of such pay
14 under this section.

15 (c) AMOUNT.—The amount of hazardous duty pay
16 paid a member under this section shall be such amount
17 per month, not less than \$150 per month, as the Secretary
18 of Defense shall specify in the regulations under sub-
19 section (b).

20 (d) MONTHLY PAYMENT; NO PRORATION.—

21 (1) MONTHLY PAYMENT.—Hazardous duty pay
22 under this section shall be paid on a monthly basis.

23 (2) NO PRORATION.—Hazardous duty pay is
24 payable to a member under this section for a month

1 if the member performs any duty in that month
2 qualifying the person for payment of such pay.

3 (e) MONTHS FOR WHICH PAYABLE.—Hazardous
4 duty pay is payable under this section for qualifying duty
5 performed in months occurring during the period—

6 (1) beginning on January 1, 2020; and

7 (2) ending on December 31, 2020.

8 (f) CONSTRUCTION WITH OTHER PAY.—Hazardous
9 duty pay payable to a member under this section is in ad-
10 dition to the following:

11 (1) Any other pay and allowances to which the
12 member is entitled by law.

13 (2) Any other hazardous duty pay to which the
14 member is entitled under section 351 of title 37,
15 United States Code (or any other provision of law),
16 for duty that also constitutes qualifying duty for
17 payment of such pay under this section.

18 (g) SENSE OF SENATE.—It is the sense of the Senate
19 that the Secretary of Defense should also authorize haz-
20 ardous duty pay for members of the Armed Forces not
21 under orders specific to the response to the Coronavirus
22 Disease 2019 who provide—

23 (1) healthcare in a military medical treatment
24 facility for individuals infected with the Coronavirus
25 Disease 2019; or

1 (2) technical or administrative support for the
 2 provision of healthcare as described in paragraph
 3 (1).

4 **SEC. 603. COMPENSATION AND CREDIT FOR RETIRED PAY**
 5 **PURPOSES FOR MATERNITY LEAVE TAKEN**
 6 **BY MEMBERS OF THE RESERVE COMPO-**
 7 **NENTS.**

8 (a) COMPENSATION.—Section 206(a) of title 37,
 9 United States Code, is amended—

10 (1) in paragraph (2), by striking “or” at the
 11 end;

12 (2) in paragraph (3), by striking the period at
 13 the end and inserting “; or”; and

14 (3) by adding the end the following new para-
 15 graph:

16 “(4) for each of 6 days in connection with the
 17 taking by the member of a period of maternity
 18 leave.”.

19 (b) CREDIT FOR RETIRED PAY PURPOSES.—

20 (1) IN GENERAL.—The period of maternity
 21 leave taken by a member of the reserve components
 22 of the Armed Forces in connection with the birth of
 23 a child shall count toward the member’s entitlement
 24 to retired pay, and in connection with the years of

1 service used in computing retired pay, under chapter
2 1223 of title 10, United States Code, as 12 points.

3 (2) SEPARATE CREDIT FOR EACH PERIOD OF
4 LEAVE.—Separate crediting of points shall accrue to
5 a member pursuant to this subsection for each pe-
6 riod of maternity leave taken by the member in con-
7 nection with a childbirth event.

8 (3) WHEN CREDITED.—Points credited a mem-
9 ber for a period of maternity leave pursuant to this
10 subsection shall be credited in the year in which the
11 period of maternity leave concerned commences.

12 (4) CONTRIBUTION OF LEAVE TOWARD ENTI-
13 TLEMENT TO RETIRED PAY.—Section 12732(a)(2) of
14 title 10, United States Code, is amended by insert-
15 ing after subparagraph (E) the following new sub-
16 paragraph:

17 “(F) Points at the rate of 12 a year for the
18 taking of maternity leave.”.

19 (5) COMPUTATION OF YEARS OF SERVICE FOR
20 RETIRED PAY.—Section 12733 of such title is
21 amended—

22 (A) by redesignating paragraph (5) as
23 paragraph (6); and

24 (B) by inserting after paragraph (4) the
25 following new paragraph (5):

1 “(5) One day for each point credited to the per-
2 son under subparagraph (F) of section 12732(a)(2)
3 of this title.”.

4 (c) EFFECTIVE DATE.—This section and the amend-
5 ments made by this section shall take effect on the date
6 of the enactment of this Act, and shall apply with respect
7 to periods of maternity leave that commence on or after
8 that date.

9 **Subtitle B—Bonuses and Special**
10 **and Incentive Pays**

11 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
12 **BONUS AND SPECIAL PAY AUTHORITIES.**

13 (a) AUTHORITIES RELATING TO RESERVE
14 FORCES.—Section 910(g) of title 37, United States Code,
15 relating to income replacement payments for reserve com-
16 ponent members experiencing extended and frequent mo-
17 bilization for active duty service, is amended by striking
18 “December 31, 2020” and inserting “December 31,
19 2021”.

20 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
21 CARE PROFESSIONALS.—The following sections of title
22 10, United States Code, are amended by striking “Decem-
23 ber 31, 2020” and inserting “December 31, 2021”:

24 (1) Section 2130a(a)(1), relating to nurse offi-
25 cer candidate accession program.

1 (2) Section 16302(d), relating to repayment of
2 education loans for certain health professionals who
3 serve in the Selected Reserve.

4 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
5 CERS.—Section 333(i) of title 37, United States Code, is
6 amended by striking “December 31, 2020” and inserting
7 “December 31, 2021”.

8 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
9 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
10 THORITIES.—The following sections of title 37, United
11 States Code, are amended by striking “December 31,
12 2020” and inserting “December 31, 2021”:

13 (1) Section 331(h), relating to general bonus
14 authority for enlisted members.

15 (2) Section 332(g), relating to general bonus
16 authority for officers.

17 (3) Section 334(i), relating to special aviation
18 incentive pay and bonus authorities for officers.

19 (4) Section 335(k), relating to special bonus
20 and incentive pay authorities for officers in health
21 professions.

22 (5) Section 336(g), relating to contracting
23 bonus for cadets and midshipmen enrolled in the
24 Senior Reserve Officers’ Training Corps.

1 (6) Section 351(h), relating to hazardous duty
2 pay.

3 (7) Section 352(g), relating to assignment pay
4 or special duty pay.

5 (8) Section 353(i), relating to skill incentive
6 pay or proficiency bonus.

7 (9) Section 355(h), relating to retention incen-
8 tives for members qualified in critical military skills
9 or assigned to high priority units.

10 (e) **AUTHORITY TO PROVIDE TEMPORARY INCREASE**
11 **IN RATES OF BASIC ALLOWANCE FOR HOUSING.**—Section
12 403(b)(7)(E) of title 37, United States Code, is amended
13 by striking “December 31, 2020” and inserting “Decem-
14 ber 31, 2021”.

15 **SEC. 612. INCREASE IN SPECIAL AND INCENTIVE PAYS FOR**
16 **OFFICERS IN HEALTH PROFESSIONS.**

17 (a) **ACCESSION BONUS GENERALLY.**—Subparagraph
18 (A) of section 335(e)(1) of title 37, United States Code,
19 is amended by striking “\$30,000” and inserting
20 “\$100,000”.

21 (b) **ACCESSION BONUS FOR CRITICALLY SHORT**
22 **WARTIME SPECIALTIES.**—Subparagraph (B) of such sec-
23 tion is amended by striking “\$100,000” and inserting
24 “\$200,000”.

1 (c) RETENTION BONUS.—Subparagraph (C) of such
2 section is amended by striking “\$75,000” and inserting
3 “\$150,000”.

4 (d) INCENTIVE PAY.—Subparagraph (D) of such sec-
5 tion is amended—

6 (1) in clause (i), by striking “\$100,000” and
7 inserting “\$200,000”; and

8 (2) in clause (ii), by striking “\$15,000” and in-
9 serting “\$50,000”.

10 (e) BOARD CERTIFICATION PAY.—Subparagraph (E)
11 of such section is amended by striking “\$6,000” and in-
12 serting “\$15,000”.

13 (f) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect on October 1, 2020, and shall
15 apply with respect to special bonus and incentive pays pay-
16 able under section 335 of title 37, United States Code,
17 pursuant to agreements entered into under that section
18 on or after that date.

1 **Subtitle C—Disability Pay, Retired**
2 **Pay, and Survivor Benefits**

3 **SEC. 621. INCLUSION OF DRILL OR TRAINING FOREGONE**
4 **DUE TO EMERGENCY TRAVEL OR DUTY RE-**
5 **STRICTIONS IN COMPUTATIONS OF ENTITLE-**
6 **MENT TO AND AMOUNTS OF RETIRED PAY**
7 **FOR NON-REGULAR SERVICE.**

8 (a) ENTITLEMENT TO RETIRED PAY.—Section
9 12732(a)(2) of title 10, United States Code, is amended—
10 (1) by inserting after subparagraph (E) the fol-
11 lowing new subparagraph:

12 “(F)(i) Subject to regulations prescribed
13 by the Secretary of Defense or the Secretary of
14 Homeland Security with respect to matters con-
15 cerning the Coast Guard when it is not oper-
16 ating as a service in the Department of the
17 Navy, one point for each day of active service
18 or one point for each drill or period of equiva-
19 lent instruction that was prescribed by the Sec-
20 retary concerned to be performed during the
21 covered emergency period, if such person was
22 prevented from performing such duty due to
23 travel or duty restrictions imposed by the Presi-
24 dent, the Secretary of Defense, or the Secretary

1 of Homeland Security with respect to the Coast
2 Guard.

3 “(ii) A person may not be credited more
4 than 35 points in a one-year period under this
5 subparagraph.

6 “(iii) In this subparagraph, the term ‘cov-
7 ered emergency period’ means the period begin-
8 ning on March 1, 2020, and ending on the day
9 that is 60 days after the date on which the
10 travel or duty restriction applicable to the per-
11 son concerned is lifted.”; and

12 (2) in the matter following subparagraph (F),
13 as inserted by paragraph (1), by striking “and (E)”
14 and inserting “(E), and (F)”.

15 (b) AMOUNT OF RETIRED PAY.—Section 12733(3) of
16 such title is amended in the matter preceding subpara-
17 graph (A), by striking “or (D)” and inserting “(D), or
18 (F)”.

19 **SEC. 622. MODERNIZATION AND CLARIFICATION OF PAY-**
20 **MENT OF CERTAIN RESERVES WHILE ON**
21 **DUTY.**

22 (a) CHANGE IN PRIORITY OF PAYMENTS FOR RE-
23 TIRED OR RETAINER PAY.—Subsection (a) of section
24 12316 of title 10, United States Code, is amended—

25 (1) in the matter preceding paragraph (1)—

1 (A) by striking “subsection (b)” and in-
2 serting “subsection (e)”; and

3 (B) by striking “his earlier military serv-
4 ice” and inserting “the Reserve’s earlier mili-
5 tary service”;

6 (C) by striking “a pension, retired or re-
7 tainer pay, or disability compensation” and in-
8 serting “retired or retainer pay”; and

9 (D) by striking “he is entitled” and insert-
10 ing “the Reserve is entitled”; and

11 (2) by striking paragraphs (1) and (2) and in-
12 serting the following new paragraphs:

13 “(1) the pay and allowances authorized by law
14 for the duty that the Reserve is performing; or

15 “(2) if the Reserve specifically waives those
16 payments, the retired or retainer pay to which the
17 Reserve is entitled because of the Reserve’s earlier
18 military service.”.

19 (b) PAYMENTS FOR PENSION OR DISABILITY COM-
20 PENSATION.—Such section is further amended—

21 (1) by redesignating subsection (b) as sub-
22 section (c); and

23 (2) by inserting after subsection (a) the fol-
24 lowing new subsection (b):

1 “(b) Except as provided by subsection (c), a Reserve
 2 of the Army, Navy, Air Force, Marine Corps, or Coast
 3 Guard who because of the Reserve’s earlier military serv-
 4 ice is entitled to a pension or disability compensation, and
 5 who performs duty for which the Reserve is entitled to
 6 compensation, may elect to receive for that duty either—

7 “(1) the pension or disability compensation to
 8 which the Reserve is entitled because of the Re-
 9 serve’s earlier military service; or

10 “(2) if the Reserve specifically waives those
 11 payments, the pay and allowances authorized by law
 12 for the duty that the Reserve is performing.”.

13 (c) ADDITIONAL CONFORMING AND MODERNIZING
 14 AMENDMENTS.—Subsection (c) of such section, as reded-
 15 icated by subsection (b)(1) of this section, is amended—

16 (1) by striking “(a)(2)” both places it appears
 17 and inserting “(a)(1) or (b)(2), as applicable,”;

18 (2) by striking “his earlier military service” the
 19 first place it appears and inserting “a Reserve’s ear-
 20 lier military service”;

21 (3) by striking “his earlier military service”
 22 each other place it appears and inserting “the Re-
 23 serve’s earlier military service”;

24 (4) by striking “he is entitled” and inserting
 25 “the Reserve is entitled”; and

1 (5) by striking “the member or his dependents”
2 and inserting “the Reserve or the Reserve’s depend-
3 ents”.

4 (d) PROCEDURES.—Such section is further amended
5 by adding at the end the following new subsection:

6 “(d) The Secretary of Defense shall prescribe regula-
7 tions under which a Reserve of the Army, Navy, Air Force,
8 Marine Corps, or Coast Guard may waive the pay and al-
9 lowances authorized by law for the duty the Reserve is
10 performing under subsection (a)(2) or (b)(2).”.

11 (e) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect 180 days after the date of
13 the enactment of this Act.

14 **SEC. 623. RELIEF OF RICHARD W. COLLINS III.**

15 (a) FINDINGS.—Congress makes the following find-
16 ings:

17 (1) On May 20, 2017, Lieutenant Richard W.
18 Collins III was murdered on the campus of the Uni-
19 versity of Maryland, College Park, Maryland.

20 (2) At the time of his murder, Lieutenant Col-
21 lins had graduated from the Reserve Officers’ Train-
22 ing Corps at Bowie State University and received a
23 commission in the United States Army.

24 (3) At the time of the murder of Lieutenant
25 Collins, a graduate of a Reserve Officers’ Training

1 Corps who received a commission but died before re-
2 ceiving a first duty assignment was not eligible for
3 a death gratuity under section 1475(a)(4) of title
4 10, United States Code, or for casualty assistance
5 under section 633 of the National Defense Author-
6 ization Act for Fiscal Year 2014 (10 U.S.C. 1475
7 note).

8 (4) Section 623 of the National Defense Au-
9 thorization Act for Fiscal Year 2020 (Public Law
10 116–92) amended section 1475 of title 10, United
11 States Code, to authorize the payment of a death
12 gratuity to a graduate of the Senior Reserve Offi-
13 cers’ Training Corps (SROTC) who receives a com-
14 mission but dies before receiving a first duty assign-
15 ment.

16 (5) Section 625 of the National Defense Au-
17 thorization Act for Fiscal Year 2020 authorizes the
18 families of Senior Reserve Officers’ Training Corps
19 graduates to receive casualty assistance in the event
20 of the death of such graduates.

21 (6) Sections 623 and 625 of the National De-
22 fense Authorization Act for Fiscal Year 2020 apply
23 only to a Senior Reserve Officers’ Training Corps
24 graduate who receives a commission but dies before

1 receiving a first duty assignment on or after the
2 date of the enactment of that Act.

3 (7) The death of Lieutenant Collins played a
4 critical role in changing the eligibility criteria for the
5 death gratuity for Senior Reserve Officers' Training
6 Corps graduates who die prior to their first assign-
7 ment.

8 (b) APPLICABILITY OF LAWS.—

9 (1) DEATH GRATUITY.—Section 623 of the Na-
10 tional Defense Authorization Act for Fiscal Year
11 2020 (Public Law 116–92), and the amendment
12 made by that section, shall apply to Lieutenant
13 Richard W. Collins III as if his death had occurred
14 after the date of the enactment of that section.

15 (2) CASUALTY ASSISTANCE.—Section 625 of
16 the National Defense Authorization Act for Fiscal
17 Year 2020, and the amendment made by that sec-
18 tion, shall apply to Lieutenant Richard W. Collins
19 III as if his death had occurred after the date of the
20 enactment of that section.

21 (c) LIMITATION.—No amount exceeding 10 percent
22 of a payment made under subsection (b)(1) may be paid
23 to or received by any attorney or agent for services ren-
24 dered in connection with the payment. Any person who
25 violates this subsection shall be guilty of an infraction and

1 shall be subject to a fine in the amount provided under
 2 title 18, United States Code.

3 **Subtitle D—Other Matters**

4 **SEC. 631. PERMANENT AUTHORITY FOR AND ENHANCE-** 5 **MENT OF THE GOVERNMENT LODGING PRO-** 6 **GRAM.**

7 (a) PERMANENT AUTHORITY.—Section 914 of the
 8 Carl Levin and Howard P. “Buck” McKeon National De-
 9 fense Authorization Act for Fiscal Year 2015 (5 U.S.C.
 10 5911 note) is amended—

11 (1) in subsection (a), by striking “, for the pe-
 12 riod of time described in subsection (b),”; and

13 (2) by striking subsection (b).

14 (b) EXCLUSION OF CERTAIN SHIPYARD EMPLOY-
 15 EES.—Such section is further amended by inserting after
 16 subsection (a) the following new subsection (b):

17 “(b) EXCLUSION OF CERTAIN SHIPYARD EMPLOY-
 18 EES.—In carrying out a Government lodging program
 19 under the authority in subsection (a), the Secretary shall
 20 exclude from the requirements of the program employees
 21 who are traveling for the performance of mission functions
 22 of a public shipyard of the Department if the purpose or
 23 mission of such travel would be adversely affected by the
 24 requirements of the program.”.

1 (c) CONFORMING AMENDMENT.—The heading of
2 such section is amended to read as follows:

3 **“SEC. 914. GOVERNMENT LODGING PROGRAM.”.**

4 **SEC. 632. APPROVAL OF CERTAIN ACTIVITIES BY RETIRED**
5 **AND RESERVE MEMBERS OF THE UNI-**
6 **FORMED SERVICES.**

7 (a) CLARIFICATION OF ACTIVITIES FOR WHICH AP-
8 PROVAL REQUIRED.—Section 908 of title 37, United
9 States Code, is amended—

10 (1) in subsection (a)—

11 (A) in the matter preceding paragraph

12 (1)—

13 (i) by striking “subsection (b)” and
14 inserting “subsections (b) and (c)”; and

15 (ii) by inserting “, accepting payment
16 for speeches, travel, meals, lodging, or reg-
17 istration fees, or accepting a non-cash
18 award,” after “that employment”); and

19 (B) in paragraph (2), by striking “armed
20 forces” and inserting “armed forces, except
21 members serving on active duty under a call or
22 order to active duty for a period in excess of 30
23 days”;

1 (2) in the heading of subsection (b), by insert-
2 ing “FOR EMPLOYMENT AND COMPENSATION” after
3 “APPROVAL REQUIRED”;

4 (3) by redesignating subsections (c) and (d) as
5 subsections (d) and (e), respectively; and

6 (4) by inserting after subsection (b) the fol-
7 lowing new subsection (c):

8 “(c) APPROVAL REQUIRED FOR CERTAIN PAYMENTS
9 AND AWARDS.—A person described in subsection (a) may
10 accept payment for speeches, travel, meals, lodging, or
11 registration fees described in that subsection, or accept a
12 non-cash award described in that subsection, only if the
13 Secretary concerned approves the payment or award.”.

14 (b) ANNUAL REPORTS ON APPROVALS.—Subsection
15 (d) of such section, as redesignated by subsection (a)(3)
16 of this section, is amended—

17 (1) by inserting “(1)” before “Not later than”;

18 (2) in paragraph (1), as designated by para-
19 graph (1) of this subsection, by inserting “, and
20 each approval under subsection (c) for a payment or
21 award described in subsection (a),” after “in sub-
22 section (a)”;

23 (3) by adding at the end the following new
24 paragraph:

1 “(2) The report under paragraph (1) on an approval
2 described in that paragraph with respect to an officer shall
3 set forth the following:

4 “(A) The foreign government providing the em-
5 ployment or compensation or payment or award.

6 “(B) The duties, if any, to be performed in con-
7 nection with the employment or compensation or
8 payment or award.

9 “(C) The total amount of compensation, if any,
10 or payment to be provided.”.

11 (c) CONFORMING AMENDMENTS.—

12 (1) SECTION HEADING.—The heading of such
13 section is amended to read as follows:

14 **“§ 908. Reserves and retired members: acceptance of**
15 **employment, payments, and awards from**
16 **foreign governments”.**

17 (2) TABLE OF SECTIONS.—The table of sections
18 at the beginning of chapter 17 of such title is
19 amended by striking the item relating to section 908
20 and inserting the following new item:

“908. Reserves and retired members: acceptance of employment, payments, and
awards from foreign governments.”.

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**
3 **Subtitle A—TRICARE and Other**
4 **Health Care Benefits**

5 **SEC. 701. AUTHORITY FOR SECRETARY OF DEFENSE TO**
6 **MANAGE PROVIDER TYPE REFERRAL AND SU-**
7 **PERVISION REQUIREMENTS UNDER TRICARE**
8 **PROGRAM.**

9 Section 1079(a)(12) of title 10, United States Code,
10 is amended, in the first sentence, by striking “or certified
11 clinical social worker,” and inserting “certified clinical so-
12 cial worker, or other class of provider as designated by
13 the Secretary of Defense.”.

14 **SEC. 702. REMOVAL OF CHRISTIAN SCIENCE PROVIDERS AS**
15 **AUTHORIZED PROVIDERS UNDER THE**
16 **TRICARE PROGRAM.**

17 (a) **REPEAL.**—Subsection (a) of section 1079 of title
18 10, United States Code, is amended by striking paragraph
19 (4).

20 (b) **CONFORMING AMENDMENT.**—Paragraph (12) of
21 such subsection is amended, in the first sentence, by strik-
22 ing “, except as authorized in paragraph (4)”.

1 health and well-being of members of the Armed Forces
2 and their dependents, which shall include the following:

3 (1) A strategy to combat existing stigma sur-
4 rounding mental health conditions that might deter
5 such individuals from seeking care.

6 (2) Guidance to commanding officers at all lev-
7 els on the mental health ramifications of the
8 COVID–19 crisis.

9 (3) Additional training and support for mental
10 health care professionals of the Department of De-
11 fense on supporting individuals who are concerned
12 for the health of themselves and their family mem-
13 bers, or grieving the loss of loved ones due to
14 COVID–19.

15 (4) A strategy to leverage telemedicine to en-
16 sure safe access to mental health services.

17 (b) OUTREACH.—The Secretary of Defense shall con-
18 duct outreach to the military community to identify re-
19 sources and health care services, including mental health
20 care services, available under the TRICARE program to
21 support members of the Armed Forces and their depend-
22 ents.

23 (c) DEFINITIONS.—In this section, the terms “de-
24 pendent” and “TRICARE program” have the meanings
25 given those terms in section 1072 of such title.

1 **SEC. 705. TRANSITIONAL HEALTH BENEFITS FOR CERTAIN**
2 **MEMBERS OF THE NATIONAL GUARD SERV-**
3 **ING UNDER ORDERS IN RESPONSE TO THE**
4 **CORONAVIRUS (COVID-19).**

5 (a) IN GENERAL.—The Secretary of Defense shall
6 provide to a member of the National Guard separating
7 from active service after serving on full-time National
8 Guard duty pursuant to section 502(f) of title 32, United
9 States Code, the health benefits authorized under section
10 1145 of title 10, United States Code, for a member of
11 a reserve component separating from active duty, as re-
12 ferred to in subsection (a)(2)(B) of such section 1145, if
13 the active service from which the member of the National
14 Guard is separating was in support of the whole of govern-
15 ment response to the coronavirus (COVID-19).

16 (b) DEFINITIONS.—In this section, the terms “active
17 duty”, “active service”, and “full-time National Guard
18 duty” have the meanings given those terms in section
19 101(d) of title 10, United States Code.

20 **SEC. 706. EXTRAMEDICAL MATERNAL HEALTH PROVIDERS**
21 **DEMONSTRATION PROJECT.**

22 (a) DEMONSTRATION PROJECT REQUIRED.—Not
23 later than one year after the date of the enactment of this
24 Act, the Secretary of Defense shall commence the conduct
25 of a demonstration project designed to evaluate the cost,
26 quality of care, and impact on maternal and fetal out-

1 comes of using extramedical maternal health providers
2 under the TRICARE program to determine the appro-
3 priateness of making coverage of such providers under the
4 TRICARE program permanent.

5 (b) ELEMENTS OF DEMONSTRATION PROJECT.—The
6 demonstration project under subsection (a) shall include,
7 for participants in the demonstration project, the fol-
8 lowing:

9 (1) Access to doulas.

10 (2) Access to lactation consultants who are not
11 otherwise authorized to provide services under the
12 TRICARE program.

13 (c) PARTICIPANTS.—The Secretary shall establish a
14 process under which covered beneficiaries may enroll in
15 the demonstration project in order to receive the services
16 provided under the demonstration project.

17 (d) DURATION.—The Secretary shall carry out the
18 demonstration project for a period of five years beginning
19 on the date on which notification of the commencement
20 of the demonstration project is published in the Federal
21 Register.

22 (e) SURVEY.—

23 (1) IN GENERAL.—Not later than one year
24 after the date of the enactment of this Act, and an-
25 nually thereafter for the duration of the demonstra-

1 tion project, the Secretary shall administer a survey
2 to determine—

3 (A) how many members of the Armed
4 Forces or spouses of such members give birth
5 while their spouse or birthing partner is unable
6 to be present due to deployment, training, or
7 other mission requirements;

8 (B) how many single members of the
9 Armed Forces give birth alone; and

10 (C) how many members of the Armed
11 Forces or spouses of such members use doula
12 support or lactation consultants.

13 (2) MATTERS COVERED BY THE SURVEY.—The
14 survey administered under paragraph (1) shall in-
15 clude an identification of the following:

16 (A) The race, ethnicity, age, sex, relation-
17 ship status, military service, military occupa-
18 tion, and rank, as applicable, of each individual
19 surveyed.

20 (B) If individuals surveyed were members
21 of the Armed Forces or the spouses of such
22 members, or both.

23 (C) The length of advanced notice received
24 by individuals surveyed that the member of the

1 Armed Forces would be unable to be present
2 during the birth, if applicable.

3 (D) Any resources or support that the in-
4 dividuals surveyed found useful during the
5 pregnancy and birth process, including doula or
6 lactation counselor support.

7 (f) REPORTS.—

8 (1) IMPLEMENTATION PLAN.—Not later than
9 180 days after the date of the enactment of this Act,
10 the Secretary shall submit to the Committees on
11 Armed Services of the Senate and the House of Rep-
12 resentatives a plan to implement the demonstration
13 project.

14 (2) ANNUAL REPORT.—

15 (A) IN GENERAL.—Not later than one year
16 after the commencement of the demonstration
17 project, and annually thereafter for the dura-
18 tion of the demonstration project, the Secretary
19 shall submit to the Committees on Armed Serv-
20 ices of the Senate and the House of Represent-
21 atives a report on the cost of the demonstration
22 project and the effectiveness of the demonstra-
23 tion project in improving quality of care and
24 the maternal and fetal outcomes of covered

1 beneficiaries enrolled in the demonstration
2 project.

3 (B) MATTERS COVERED.—Each report
4 submitted under subparagraph (A) shall ad-
5 dress, at a minimum, the following:

6 (i) The number of covered bene-
7 ficiaries who are enrolled in the demonstra-
8 tion project.

9 (ii) The number of enrolled covered
10 beneficiaries who have participated in the
11 demonstration project.

12 (iii) The results of the surveys under
13 subsection (f).

14 (iv) The cost of the demonstration
15 project.

16 (v) An assessment of the quality of
17 care provided to participants in the dem-
18 onstration project.

19 (vi) An assessment of the impact of
20 the demonstration project on maternal and
21 fetal outcomes.

22 (vii) An assessment of the effective-
23 ness of the demonstration project.

24 (viii) Recommendations for adjust-
25 ments to the demonstration project.

1 (ix) The estimated costs avoided as a
2 result of improved maternal and fetal
3 health outcomes due to the demonstration
4 project.

5 (x) Recommendations for extending
6 the demonstration project or implementing
7 permanent coverage under the TRICARE
8 program of extramedical maternal health
9 providers.

10 (xi) An identification of legislative or
11 administrative action necessary to make
12 the demonstration project permanent.

13 (C) FINAL REPORT.—The final report
14 under subparagraph (A) shall be submitted not
15 later than 90 days after the termination of the
16 demonstration project.

17 (g) EXPANSION OF DEMONSTRATION PROJECT.—

18 (1) REGULATIONS.—If the Secretary deter-
19 mines that the demonstration project is successful,
20 the Secretary may prescribe regulations to include
21 extramedical maternal health providers as health
22 care providers authorized to provide care under the
23 TRICARE program.

24 (2) CREDENTIALING AND OTHER REQUIRE-
25 MENTS.—The Secretary may establish credentialing

1 and other requirements for doulas and lactation con-
 2 sultants through public notice and comment rule-
 3 making for purposes of including doulas and lacta-
 4 tion consultations as health care providers author-
 5 ized to provide care under the TRICARE program
 6 pursuant to regulations prescribed under paragraph
 7 (1).

8 (h) DEFINITIONS.—In this section:

9 (1) EXTRAMEDICAL MATERNAL HEALTH PRO-
 10 VIDER.—The term “extramedical maternal health
 11 provider” means a doula or lactation consultant.

12 (2) COVERED BENEFICIARY; TRICARE PRO-
 13 GRAM.—The terms “covered beneficiary” and
 14 “TRICARE program” have the meanings given
 15 those terms in section 1072 of title 10, United
 16 States Code.

17 **SEC. 707. PILOT PROGRAM ON RECEIPT OF NON-GENERIC**
 18 **PRESCRIPTION MAINTENANCE MEDICATIONS**
 19 **UNDER TRICARE PHARMACY BENEFITS PRO-**
 20 **GRAM.**

21 (a) REQUIREMENT.—The Secretary of Defense shall
 22 carry out a pilot program under which eligible covered
 23 beneficiaries may elect to receive non-generic prescription
 24 maintenance medications selected under subsection (c)
 25 through military treatment facility pharmacies, retail

1 pharmacies, or the national mail-order pharmacy program,
2 notwithstanding section 1074g(a)(9) of title 10, United
3 States Code.

4 (b) DURATION.—The Secretary shall carry out the
5 pilot program for a three-year period beginning not later
6 than March 1, 2021.

7 (c) SELECTION OF MEDICATION.—The Secretary
8 shall select non-generic prescription maintenance medica-
9 tions described in section 1074g(a)(9)(C)(i) of title 10,
10 United States Code, to be covered by the pilot program.

11 (d) USE OF VOLUNTARY REBATES.—

12 (1) REQUIREMENT.—In carrying out the pilot
13 program, the Secretary shall seek to renew and mod-
14 ify contracts described in paragraph (2) in a manner
15 that—

16 (A) includes for purposes of the pilot pro-
17 gram retail pharmacies as a point of sale for
18 the non-generic prescription maintenance medi-
19 cation covered by the contract; and

20 (B) provides the manufacturer with the op-
21 tion to provide voluntary rebates for such medi-
22 cations at retail pharmacies.

23 (2) CONTRACTS DESCRIBED.—The contracts
24 described in this paragraph are contracts for the
25 procurement of non-generic prescription mainte-

1 nance medications selected under subsection (c) that
2 are eligible for renewal during the period in which
3 the pilot program is carried out.

4 (e) NOTIFICATION.—In providing each eligible cov-
5 ered beneficiary with an explanation of benefits, the Sec-
6 retary shall notify the beneficiary of whether the medica-
7 tion that the beneficiary is prescribed is covered by the
8 pilot program.

9 (f) BRIEFING AND REPORTS.—

10 (1) BRIEFING.—Not later than 90 days after
11 the date of the enactment of this Act, the Secretary
12 shall brief the congressional defense committees on
13 the implementation of the pilot program.

14 (2) INTERIM REPORT.—Not later than 18
15 months after the commencement of the pilot pro-
16 gram, the Secretary shall submit to the congress-
17 sional defense committees a report on the pilot pro-
18 gram.

19 (3) COMPTROLLER GENERAL REPORT.—

20 (A) IN GENERAL.—Not later than March
21 1, 2024, the Comptroller General of the United
22 States shall submit to the congressional defense
23 committees a report on the pilot program.

24 (B) ELEMENTS.—The report required by
25 subparagraph (A) shall include the following:

1 (i) The number of eligible covered
2 beneficiaries who participated in the pilot
3 program and an assessment of the satisfac-
4 tion of such beneficiaries with the pilot
5 program.

6 (ii) The rate by which eligible covered
7 beneficiaries elected to receive non-generic
8 prescription maintenance medications at a
9 retail pharmacy pursuant to the pilot pro-
10 gram, and how such rate affected military
11 treatment facility pharmacies and the na-
12 tional mail-order pharmacy program.

13 (iii) The amount of cost savings real-
14 ized by the pilot program, including with
15 respect to—

16 (I) dispensing fees incurred at re-
17 tail pharmacies compared to the na-
18 tional mail-order pharmacy program
19 for brand name prescription drugs;

20 (II) administrative fees;

21 (III) any costs paid by the
22 United States for the drugs in addi-
23 tion to the procurement costs;

24 (IV) the use of military treat-
25 ment facilities; and

1 (V) copayments paid by eligible
2 covered beneficiaries.

3 (iv) A comparison of supplemental re-
4 bates between retail pharmacies and other
5 points of sale.

6 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion may be construed to affect the ability of the Secretary
8 to carry out section 1074g(a)(9)(C) of title 10, United
9 States Code, after the date on which the pilot program
10 is completed.

11 (h) DEFINITIONS.—In this section:

12 (1) The term “eligible covered beneficiary” has
13 the meaning given that term in section 1074g(i) of
14 title 10, United States Code.

15 (2) The terms “military treatment facility phar-
16 macies”, “retail pharmacies”, and “the national
17 mail-order pharmacy program” mean the methods
18 for receiving prescription drugs as described in
19 clauses (i), (ii), and (iii), respectively, of section
20 1074g(a)(2)(E) of title 10, United States Code.

1 **Subtitle B—Health Care**
2 **Administration**

3 **SEC. 721. MODIFICATIONS TO TRANSFER OF ARMY MED-**
4 **ICAL RESEARCH AND DEVELOPMENT COM-**
5 **MAND AND PUBLIC HEALTH COMMANDS TO**
6 **DEFENSE HEALTH AGENCY.**

7 (a) DELAY OF TRANSFER.—

8 (1) IN GENERAL.—Section 1073c(e) of title 10,
9 United States Code, is amended, in the matter pre-
10 ceding paragraph (1), by striking “September 30,
11 2022” and inserting “September 30, 2024”.

12 (2) CONFORMING AMENDMENTS.—Section 737
13 of the National Defense Authorization Act for Fiscal
14 Year 2020 (Public Law 116–92) is amended, in sub-
15 sections (a) and (c), by striking “September 30,
16 2022” and inserting “September 30, 2024” each
17 place it appears.

18 (b) MODIFICATION TO RESOURCES PRESERVED.—

19 Such section 737 is amended—

20 (1) in the section heading, by striking “**RE-**
21 **SOURCES**” and inserting “**INFRASTRUCTURE**
22 **AND PERSONNEL**”; and

23 (2) in subsection (a)—

24 (A) by striking “resources” and inserting
25 “infrastructure and personnel”; and

1 (B) by striking “, which shall include man-
 2 power and funding, at not less than the level of
 3 such resources”.

4 (c) ELIMINATION OF TRANSFER OF FUNDS.—Such
 5 section 737 is further amended by—

6 (1) striking subsection (b); and

7 (2) redesignating subsection (c) as subsection
 8 (b).

9 (d) CHANGE OF NAME OF COMMAND.—

10 (1) DELAY OF TRANSFER.—Section
 11 1073c(e)(1)(B) of title 10, United States Code, is
 12 amended by striking “Materiel” and inserting “De-
 13 velopment”.

14 (2) PRESERVATION OF INFRASTRUCTURE AND
 15 PERSONNEL.—Section 737 of the National Defense
 16 Authorization Act for Fiscal Year 2020 (Public Law
 17 116–92) is amended—

18 (A) in the section heading, by striking
 19 “**MATERIEL**” and inserting “**DEVELOP-**
 20 **MENT**”; and

21 (B) by striking “Materiel” each place it
 22 appears and inserting “Development”.

23 (e) CLERICAL AMENDMENT.—The table of contents
 24 for the National Defense Authorization Act for Fiscal

1 Year 2020 is amended by striking the item relating to sec-
 2 tion 737 and inserting the following new item:

“Sec. 737. Preservation of infrastructure and personnel of the Army Medical
 Research and Development Command and continuation as Cen-
 ter of Excellence.”.

3 **SEC. 722. DELAY OF APPLICABILITY OF ADMINISTRATION**
 4 **OF TRICARE DENTAL PLANS THROUGH FED-**
 5 **ERAL EMPLOYEES DENTAL AND VISION IN-**
 6 **SURANCE PROGRAM.**

7 Section 713(c) of the John S. McCain National De-
 8 fense Authorization Act for Fiscal Year 2019 (Public Law
 9 115–232; 5 U.S.C. 8951 note) is amended by striking
 10 “January 1, 2022” and inserting “January 1, 2023”.

11 **SEC. 723. AUTHORITY OF SECRETARY OF DEFENSE TO**
 12 **WAIVE REQUIREMENTS DURING NATIONAL**
 13 **EMERGENCIES FOR PURPOSES OF PROVI-**
 14 **SION OF HEALTH CARE.**

15 (a) IN GENERAL.—Chapter 55 of title 10, United
 16 States Code, is amended by inserting after section 1073d
 17 the following new section:

18 **“§ 1073e. Authority to waive requirements during na-**
 19 **tional emergencies**

20 “(a) PURPOSE.—The purpose of this section is to en-
 21 able the Secretary of Defense to ensure, to the maximum
 22 extent feasible, in an emergency area during an emergency
 23 period—

1 “(1) that sufficient authorized health care items
2 and services are available to meet the needs of cov-
3 ered beneficiaries in such area eligible for the pro-
4 grams under this chapter; and

5 “(2) that private sector health care providers
6 authorized under the TRICARE program that fur-
7 nish such authorized items and services in good faith
8 may be reimbursed for such items and services ab-
9 sent any determination of fraud or abuse.

10 “(b) AUTHORITY.—

11 “(1) IN GENERAL.—To the extent necessary to
12 accomplish the purpose specified in subsection (a),
13 the Secretary, subject to the provisions of this sec-
14 tion, may, for a period of 60 days, waive or modify
15 the application of the requirements of this chapter
16 or any regulation prescribed thereunder with respect
17 to health care items and services furnished by a
18 health care provider (or class of health care pro-
19 viders) in an emergency area (or portion of such
20 area) during an emergency period (or portion of
21 such period), including by deferring the termination
22 of status of a covered beneficiary.

23 “(2) RENEWAL.—The Secretary may renew a
24 waiver or modification under paragraph (1) for sub-

1 sequent 60-day periods during the duration of the
2 applicable emergency declaration.

3 “(c) IMPLEMENTATION.—The Secretary may imple-
4 ment any temporary waiver or modification made pursu-
5 ant to this section by program instruction or otherwise.

6 “(d) RETROACTIVE APPLICATION.—A waiver or
7 modification made pursuant to this section with respect
8 to an emergency period may, at the discretion of the Sec-
9 retary, be made retroactive to the beginning of the emer-
10 gency period or any subsequent date in such period speci-
11 fied by the Secretary.

12 “(e) SATISFACTION OF PRECONDITIONS FOR STATUS
13 AS COVERED BENEFICIARY.—A deferral under subsection
14 (b) of termination of status of a covered beneficiary may
15 be contingent upon retroactive satisfaction by such bene-
16 ficiary of any premium or enrollment fee payments or
17 other preconditions for such status.

18 “(f) CERTIFICATION.—

19 “(1) IN GENERAL.—Not later than two days be-
20 fore exercising a waiver or modification under sub-
21 section (b)(1) or renewing a waiver or modification
22 under subsection (b)(2), the Secretary shall submit
23 to the Committees on Armed Services of the Senate
24 and the House of Representatives a certification and

1 advance written notice regarding the authority to be
2 exercised.

3 “(2) MATTERS INCLUDED.—Certification and
4 advanced written notice required under paragraph
5 (1) shall include—

6 “(A) a description of—

7 “(i) the specific provisions of law that
8 will be waived or modified;

9 “(ii) the health care providers to
10 whom the waiver or modification will
11 apply;

12 “(iii) the geographic area in which the
13 waiver or modification will apply; and

14 “(iv) the period of time for which the
15 waiver or modification will be in effect; and

16 “(B) a certification that the waiver or
17 modification is necessary to carry out the pur-
18 pose specified in subsection (a).

19 “(g) TERMINATION OF WAIVER.—A waiver or modi-
20 fication of requirements pursuant to this section termi-
21 nates upon the termination of the applicable emergency
22 declaration.

23 “(h) REPORT.—Not later than one year after the end
24 of an emergency period during which the Secretary exer-
25 cised the authority under this section, the Secretary shall

1 submit to the Committees on Armed Services of the Sen-
2 ate and the House of Representatives a report on the ap-
3 proaches used to accomplish the purpose described in sub-
4 section (a), including an evaluation of such approaches
5 and recommendations for improved approaches should the
6 need for the exercise of such authority arise in the future.

7 “(i) DEFINITIONS.—In this section:

8 “(1) EMERGENCY AREA.—The term ‘emergency
9 area’ means a geographical area covered by an emer-
10 gency declaration.

11 “(2) EMERGENCY DECLARATION.—The term
12 ‘emergency declaration’ means—

13 “(A) an emergency or disaster declared by
14 the President pursuant to the National Emer-
15 gencies Act (50 U.S.C. 1601 et seq.) or the
16 Robert T. Stafford Disaster Relief and Emer-
17 gency Assistance Act (42 U.S.C. 5121 et seq.);
18 or

19 “(B) a public health emergency declared
20 pursuant to section 319 of the Public Health
21 Service Act (42 U.S.C. 247d).

22 “(3) EMERGENCY PERIOD.—The term ‘emer-
23 gency period’ means the period covered by an emer-
24 gency declaration.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of chapter 55 of such title is amended
 3 by inserting after the item relating to section 1073d the
 4 following new item:

“1073e. Authority to waive requirements during national emergencies.”.

5 **Subtitle C—Reports and Other**
 6 **Matters**

7 **SEC. 741. EXTENSION OF AUTHORITY FOR JOINT DEPART-**
 8 **MENT OF DEFENSE-DEPARTMENT OF VET-**
 9 **ERANS AFFAIRS MEDICAL FACILITY DEM-**
 10 **ONSTRATION FUND.**

11 Section 1704(e) of the National Defense Authoriza-
 12 tion Act for Fiscal Year 2010 (Public Law 111–84; 123
 13 Stat. 2573), as most recently amended by section
 14 732(4)(B) of the National Defense Authorization Act for
 15 Fiscal Year 2020 (Public Law 116–92), is further amend-
 16 ed by striking “September 30, 2021” and inserting “Sep-
 17 tember 30, 2022”.

18 **SEC. 742. MEMBERSHIP OF BOARD OF REGENTS OF UNI-**
 19 **FORMED SERVICES UNIVERSITY OF THE**
 20 **HEALTH SCIENCES.**

21 (a) IN GENERAL.—Section 2113a(b) of title 10,
 22 United States Code, is amended—

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

1 of patient harm and corrective action plans to miti-
2 gate such risks.

3 (2) With respect to a potentially compensable
4 event (including those involving members of the
5 Armed Forces) at a military medical treatment facil-
6 ity—

7 (A) an analysis of such event, which shall
8 occur and be documented as soon as possible
9 after the event;

10 (B) use of such analysis for clinical quality
11 management; and

12 (C) reporting of such event to the National
13 Practitioner Data Bank in accordance with
14 guidelines of the Secretary of Health and
15 Human Services under the Health Care Quality
16 Improvement Act of 1986 (42 U.S.C. 11101 et
17 seq.), giving special emphasis to the results of
18 external peer reviews of the event.

19 (3) Validation of provider credentials and
20 granting of clinical privileges by the Director of the
21 Defense Health Agency for all health care providers
22 at a military medical treatment facility.

23 (4) Accreditation of military medical treatment
24 facilities by a recognized external accreditation body.

1 (5) Systematic measurement of indicators of
2 health care quality, emphasizing clinical outcome
3 measures, comparison of such indicators with bench-
4 marks from leading health care quality improvement
5 organizations, and transparency with the public of
6 appropriate clinical measurements for military med-
7 ical treatment facilities.

8 (6) Systematic activities emphasized by leader-
9 ship at all organizational levels to use all elements
10 of the Program to eliminate unwanted variance
11 throughout the health care system of the Depart-
12 ment of Defense and make constant improvements
13 in clinical quality.

14 (7) A full range of procedures for productive
15 communication between patients and health care
16 providers regarding actual or perceived adverse clin-
17 ical events at military medical treatment facilities,
18 including procedures—

19 (A) for full disclosure of such events (re-
20 specting the confidentiality of peer review infor-
21 mation under a medical quality assurance pro-
22 gram under section 1102 of title 10, United
23 States Code);

1 (B) providing an opportunity for the pa-
2 tient to be heard in relation to quality reviews;
3 and

4 (C) to resolve patient concerns by inde-
5 pendent, neutral healthcare resolution special-
6 ists.

7 (c) ADDITIONAL CLINICAL QUALITY MANAGEMENT
8 ACTIVITIES.—

9 (1) IN GENERAL.—In addition to the elements
10 of the Program set forth in subsection (b), the Sec-
11 retary shall establish and maintain clinical quality
12 management activities in relation to functions of the
13 health care system of the Department separate from
14 delivery of health care services in military medical
15 treatment facilities.

16 (2) HEALTH CARE DELIVERY OUTSIDE MILI-
17 TARY MEDICAL TREATMENT FACILITIES.—In car-
18 rying out paragraph (1), the Secretary shall main-
19 tain policies and procedures to promote clinical qual-
20 ity in health care delivery on ships and planes, in de-
21 ployed settings, and in all other circumstances not
22 covered by subsection (b), with the objective of im-
23 plementing standards and procedures comparable, to
24 the extent practicable, to those under such sub-
25 section.

1 (3) PURCHASED CARE SYSTEM.—In carrying
 2 out paragraph (1), the Secretary shall maintain poli-
 3 cies and procedures for health care services provided
 4 outside the Department but paid for by the Depart-
 5 ment, reflecting best practices by public and private
 6 health care reimbursement and management sys-
 7 tems.

8 (d) MILITARY MEDICAL TREATMENT FACILITY DE-
 9 FINED.—In this section, the term “military medical treat-
 10 ment facility” means any fixed facility or portion thereof
 11 of the Department of Defense that is outside of a deployed
 12 environment and used primarily for health care.

13 **SEC. 744. MODIFICATIONS TO PILOT PROGRAM ON CIVIL-**
 14 **IAN AND MILITARY PARTNERSHIPS TO EN-**
 15 **HANCE INTEROPERABILITY AND MEDICAL**
 16 **SURGE CAPABILITY AND CAPACITY OF NA-**
 17 **TIONAL DISASTER MEDICAL SYSTEM.**

18 Section 740 of the National Defense Authorization
 19 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
 20 ed—

21 (1) in subsection (a)—

22 (A) by striking “The Secretary of Defense
 23 may” and inserting “Beginning not later than
 24 September 30, 2021, the Secretary of Defense
 25 shall”; and

1 (B) by striking “health care organizations,
2 institutions, and entities” and inserting “health
3 care organizations, health care institutions,
4 health care entities, academic medical centers of
5 institutions of higher education, and hospitals”;
6 and

7 (C) by striking “in the vicinity of major
8 aeromedical and other transport hubs and logis-
9 tics centers of the Department of Defense”;

10 (2) by striking subsection (c) and inserting the
11 following new subsections:

12 “(c) LEAD OFFICIAL FOR DESIGN AND IMPLEMEN-
13 TATION OF PILOT PROGRAM.—

14 “(1) IN GENERAL.—The Assistant Secretary of
15 Defense for Health Affairs shall be the lead official
16 for design and implementation of the pilot program
17 under subsection (a).

18 “(2) RESOURCES.—The Assistant Secretary of
19 Defense for Health Affairs shall leverage the re-
20 sources of the Defense Health Agency for execution
21 of the pilot program under subsection (a) and shall
22 coordinate with the Chairman of the Joint Chiefs of
23 Staff throughout the planning and duration of the
24 pilot program.

25 “(d) LOCATIONS.—

1 “(1) IN GENERAL.—The Secretary of Defense
2 shall carry out the pilot program under subsection
3 (a) at not fewer than five locations in the United
4 States that are located at or near locations with es-
5 tablished expertise in disaster health preparedness
6 and response and trauma care that augment and en-
7 hance the effectiveness of the pilot program.

8 “(2) PHASED SELECTION OF LOCATIONS.—

9 “(A) INITIAL SELECTION.—Not later than
10 the earlier of the date that is 180 days after the
11 date of the enactment of this Act or March 31,
12 2021, the Assistant Secretary of Defense for
13 Health Affairs, in consultation with the Sec-
14 retary of Veterans Affairs, the Secretary of
15 Health and Human Services, the Secretary of
16 Homeland Security, and the Secretary of
17 Transportation, shall select not fewer than two
18 locations at which to carry out the pilot pro-
19 gram.

20 “(B) SUBSEQUENT SELECTION.—Not later
21 than the end of each one-year period following
22 selection of locations under subparagraph (A),
23 the Assistant Secretary of Defense for Health
24 Affairs, in consultation with the Secretary of
25 Veterans Affairs, the Secretary of Health and

1 Human Services, the Secretary of Homeland
2 Security, and the Secretary of Transportation,
3 shall select not fewer than two additional loca-
4 tions at which to carry out the pilot program
5 until not fewer than five locations are selected
6 in total.

7 “(3) CONSIDERATION AND PRIORITY FOR LOCA-
8 TIONS.—In selecting locations for the pilot program
9 under subsection (a), the Secretary shall—

10 “(A) consider—

11 “(i) the proximity of the location to
12 civilian or military transportation hubs, in-
13 cluding airports, railways, interstate high-
14 ways, or ports;

15 “(ii) the ability of the location to ac-
16 cept a redistribution of casualties during
17 times of war;

18 “(iii) the ability of the location to pro-
19 vide trauma care training opportunities for
20 medical personnel of the Department of
21 Defense; and

22 “(iv) the proximity of the location to
23 existing academic medical centers of insti-
24 tutions of higher education, facilities of the

1 Department, or other institutions that
2 have established expertise in the areas of—
3 “(I) highly infectious disease;
4 “(II) biocontainment;
5 “(III) quarantine;
6 “(IV) trauma care;
7 “(V) combat casualty care;
8 “(VI) the National Disaster Med-
9 ical System under section 2812 of the
10 Public Health Service Act (42 U.S.C.
11 300hh–11);
12 “(VII) disaster health prepared-
13 ness and response;
14 “(VIII) medical and public health
15 management of biological, chemical,
16 radiological, or nuclear hazards; or
17 “(IX) such other areas of exper-
18 tise as the Secretary considers appro-
19 priate; and
20 “(B) give priority to public-private part-
21 nerships with academic medical centers of insti-
22 tutions of higher education, hospitals, and other
23 entities with facilities that have an established
24 history of providing clinical care, treatment,
25 training, and research in the areas described in

1 subparagraph (A)(ii) or other specializations de-
2 termined important by the Secretary for pur-
3 poses of the pilot program.”;

4 (3) by redesignating subsections (d) through (f)
5 as subsections (e) through (g), respectively;

6 (4) in subsection (g), as redesignated by para-
7 graph (3)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), by striking
10 “the commencement of the pilot program
11 under subsection (a)” and inserting “the
12 initial selection of locations for the pilot
13 program under subsection (d)(2)(A)”;

14 (ii) in subparagraph (B)—

15 (I) in clause (ii), by striking
16 “subsection (d)” and inserting “sub-
17 section (e)”;

18 (II) in clause (iii), by striking
19 “subsection (e)” and inserting “sub-
20 section (f)”;

21 (B) in paragraph (2)(B)(iv), by striking
22 “the authority for”; and

23 (5) by adding at the end the following new sub-
24 section:

1 “(h) INSTITUTION OF HIGHER EDUCATION DE-
 2 FINED.—In this section, the term ‘institution of higher
 3 education’ means a four-year institution of higher edu-
 4 cation, as defined in section 101(a) of the Higher Edu-
 5 cation Act of 1965 (20 U.S.C. 1001(a)).”.

6 **SEC. 745. STUDY ON FORCE MIX OPTIONS AND SERVICE**
 7 **MODELS TO ENHANCE READINESS OF MED-**
 8 **ICAL FORCE OF THE ARMED FORCES TO PRO-**
 9 **VIDE COMBAT CASUALTY CARE.**

10 (a) STUDY REQUIRED.—Not later than 30 days after
 11 the date of the enactment of this Act, the Secretary of
 12 Defense shall seek to enter into an agreement with a fed-
 13 erally funded research and development center or other
 14 independent entity to perform a study on force mix options
 15 and service models (including traditional and nontradi-
 16 tional active and reserve models) to optimize the readiness
 17 of the medical force of the Armed Forces to deliver combat
 18 care on the battlefield.

19 (b) ISSUES TO BE ADDRESSED.—The study required
 20 by subsection (a) shall include, at a minimum—

21 (1) with respect to options relating to members
 22 of the Armed Forces on active duty—

23 (A) a review of existing models for such
 24 members who are medical professionals to sup-

1 port clinical readiness skills by serving in civil-
2 ian trauma centers;

3 (B) an assessment of the extent to which
4 existing models can be optimized, standardized,
5 and scaled to address current readiness short-
6 falls; and

7 (C) an evaluation of the cost and effective-
8 ness of alternative models for such members
9 who are medical professionals to serve in civil-
10 ian trauma centers; and

11 (2) with respect to options relating to members
12 of the reserve components of the Armed Forces—

13 (A) a review of existing models for such
14 members of the reserve components who are
15 medical professionals to support clinical readi-
16 ness skills by serving in civilian trauma centers;

17 (B) an assessment of the extent to which
18 existing models can be optimized, standardized,
19 and scaled to address current readiness short-
20 falls; and

21 (C) an evaluation of the cost and effective-
22 ness of alternative models for such members of
23 the reserve components who are medical profes-
24 sionals to serve in civilian trauma centers.

1 (c) REPORT.—Not later than 15 months after the
2 date of the enactment of this Act, the Secretary shall sub-
3 mit to the Committees on Armed Services of the Senate
4 and the House of Representatives a report on the findings
5 and recommendations of the independent study required
6 by subsection (a).

7 **SEC. 746. COMPTROLLER GENERAL STUDY ON DELIVERY**
8 **OF MENTAL HEALTH SERVICES TO MEMBERS**
9 **OF THE RESERVE COMPONENTS OF THE**
10 **ARMED FORCES.**

11 (a) IN GENERAL.—The Comptroller General of the
12 United States shall conduct a study on the delivery of Fed-
13 eral, State, and private mental health services to members
14 of the reserve components.

15 (b) ELEMENTS.—The study conducted under sub-
16 section (a) shall—

17 (1) identify all programs, coverage, and costs
18 associated with services described in such subsection;

19 (2) specify gaps or barriers to access that could
20 result in delayed or insufficient mental health care
21 support to members of the reserve components.

22 (3) evaluate the mental health screening re-
23 quirements for members of the reserve components
24 immediately before, during, and after—

1 (A) Federal deployment under title 10,
2 United States Code; or

3 (B) State deployment under title 32,
4 United States Code; and

5 (4) provide recommendations when practicable
6 to strengthen the reintegration of members of the
7 reserve components, including an assessment of the
8 effectiveness of making programming mandatory.

9 (c) REPORT.—Not later than one year after the date
10 of the enactment of this Act, the Comptroller General shall
11 submit to the Committees on Armed Services of the Sen-
12 ate and the House of Representatives a report on the
13 study conducted under subsection (a).

14 (d) RESERVE COMPONENT DEFINED.—In this sec-
15 tion, the term “reserve component” means a reserve com-
16 ponent of the Armed Forces named in section 10101 of
17 title 10, United States Code.

18 **SEC. 747. REVIEW AND REPORT ON PREVENTION OF SUI-**
19 **CIDE AMONG MEMBERS OF THE ARMED**
20 **FORCES STATIONED AT REMOTE INSTALLA-**
21 **TIONS OUTSIDE THE CONTIGUOUS UNITED**
22 **STATES.**

23 (a) REVIEW REQUIRED.—The Comptroller General
24 of the United States shall conduct a review of efforts by
25 the Department of Defense to prevent suicide among

1 members of the Armed Forces stationed at covered instal-
2 lations.

3 (b) ELEMENTS OF REVIEW.—The review conducted
4 under subsection (a) shall include an assessment of each
5 of the following:

6 (1) Current policy guidelines of the Armed
7 Forces on the prevention of suicide among members
8 of the Armed Forces stationed at covered installa-
9 tions.

10 (2) Current suicide prevention programs of the
11 Armed Forces and activities for members of the
12 Armed Forces stationed at covered installations and
13 their dependents, including programs provided by
14 the Defense Health Program and the Office of Sui-
15 cide Prevention.

16 (3) The integration of mental health screenings
17 and suicide risk and prevention efforts for members
18 of the Armed Forces stationed at covered installa-
19 tions and their dependents into the delivery of pri-
20 mary care for such members and dependents.

21 (4) The standards for responding to attempted
22 or completed suicides among members of the Armed
23 Forces stationed at covered installations and their
24 dependents, including guidance and training to as-

1 sist commanders in addressing incidents of at-
2 tempted or completed suicide within their units.

3 (5) The standards regarding data collection for
4 members of the Armed Forces stationed at covered
5 installations and their dependents, including related
6 factors such as domestic violence and child abuse.

7 (6) The means to ensure the protection of pri-
8 vacy of members of the Armed Forces stationed at
9 covered installations and their dependents who seek
10 or receive treatment related to suicide prevention.

11 (7) The availability of information from indige-
12 nous populations on suicide prevention for members
13 of the Armed Forces stationed at covered installa-
14 tions who are members of such a population.

15 (8) The availability of information from grad-
16 uate research programs of institutions of higher edu-
17 cation on suicide prevention for members of the
18 Armed Forces.

19 (9) Such other matters as the Comptroller Gen-
20 eral considers appropriate in connection with the
21 prevention of suicide among members of the Armed
22 Forces stationed at covered installations and their
23 dependents.

24 (c) BRIEFING AND REPORT.—The Comptroller Gen-
25 eral shall—

1 (1) determine the percentage of units of
2 privatized military housing that are unsafe or
3 unhealthy housing units;

4 (2) study the adverse exposures of eligible indi-
5 viduals that relate to residing in an unsafe or
6 unhealthy housing unit and the effect of such expo-
7 sures on the health of such individuals; and

8 (3) determine the association, to the extent per-
9 mitted by available scientific data, and provide quan-
10 tifiable data on such association, between such ad-
11 verse exposures and the occurrence of a medical con-
12 dition in eligible individuals residing in unsafe or
13 unhealthy housing units.

14 (c) CONDUCT OF AUDIT.—The Inspector General of
15 the Department shall conduct the audit under subsection
16 (a) using the same privacy preserving guidelines used by
17 the Inspector General in conducting other audits of health
18 records.

19 (d) SOURCE OF DATA.—In conducting the audit
20 under subsection (a), the Inspector General of the Depart-
21 ment shall use—

22 (1) de-identified data from electronic health
23 records of the Department;

1 (2) records of claims under the TRICARE pro-
2 gram (as defined in section 1072(7) of title 10,
3 United States Code); and

4 (3) such other data as determined necessary by
5 the Inspector General.

6 (e) SUBMITTAL AND PUBLIC AVAILABILITY OF RE-
7 PORT.—Not later than one year after the commencement
8 of the audit under subsection (a), the Inspector General
9 of the Department shall—

10 (1) submit to the Secretary of Defense and the
11 Committees on Armed Services of the Senate and
12 the House of Representatives a report on the results
13 of the audit conducted under subsection (a); and

14 (2) publish such report on a publicly available
15 internet website of the Department of Defense.

16 (f) DEFINITIONS.—In this section:

17 (1) ELIGIBLE INDIVIDUAL.—The term “eligible
18 individual” means a member of the Armed Forces or
19 a family member of a member of the Armed Forces
20 who has resided in an unsafe or unhealthy housing
21 unit.

22 (2) PRIVATIZED MILITARY HOUSING.—The
23 term “privatized military housing” means military
24 housing provided under subchapter IV of chapter
25 169 of title 10, United States Code.

1 (3) UNSAFE OR UNHEALTHY HOUSING UNIT.—

2 The term “unsafe or unhealthy housing unit” means
3 a unit of privatized military housing in which, at any
4 given time, at least one of the following hazards is
5 present:

6 (A) Physiological hazards, including the
7 following:

8 (i) Dampness or microbial growth.

9 (ii) Lead-based paint.

10 (iii) Asbestos or manmade fibers.

11 (iv) Ionizing radiation.

12 (v) Biocides.

13 (vi) Carbon monoxide.

14 (vii) Volatile organic compounds.

15 (viii) Infectious agents.

16 (ix) Fine particulate matter.

17 (B) Psychological hazards, including ease
18 of access by unlawful intruders or lighting
19 issues.

20 (C) Poor ventilation.

21 (D) Safety hazards.

22 (E) Other hazards as determined by the
23 Inspector General of the Department.

1 **SEC. 749. COMPTROLLER GENERAL STUDY ON PRENATAL**
2 **AND POSTPARTUM MENTAL HEALTH CONDI-**
3 **TIONS AMONG MEMBERS OF THE ARMED**
4 **FORCES AND THEIR DEPENDENTS.**

5 (a) STUDY.—

6 (1) IN GENERAL.—The Comptroller General of
7 the United States shall conduct a study on prenatal
8 and postpartum mental health conditions among
9 members of the Armed Forces and dependents of
10 such members.

11 (2) ELEMENTS.—The study required under
12 paragraph (1) shall include the following:

13 (A) An assessment of the extent to which
14 beneficiaries under the TRICARE program, in-
15 cluding members of the Armed Forces and de-
16 pendents of such members, are diagnosed with
17 prenatal or postpartum mental health condi-
18 tions, including—

19 (i) prenatal or postpartum depression;

20 (ii) prenatal or postpartum anxiety
21 disorder;

22 (iii) prenatal or postpartum obsessive
23 compulsive disorder;

24 (iv) prenatal or postpartum psychosis;

25 and

26 (v) other relevant mood disorders.

1 (B) A demographic assessment of the pop-
2 ulation included in the study with respect to
3 race, ethnicity, sex, age, relationship status,
4 military service, military occupation, and rank,
5 where applicable.

6 (C) An assessment of the status of pre-
7 natal and postpartum mental health care for
8 beneficiaries under the TRICARE program, in-
9 cluding those who seek care at military medical
10 treatment facilities and those who rely on civil-
11 ian providers.

12 (D) An assessment of the ease or delay for
13 beneficiaries under the TRICARE program in
14 obtaining treatment for prenatal and
15 postpartum mental health conditions, includ-
16 ing—

17 (i) an assessment of wait times for
18 mental health treatment at each military
19 medical treatment facility; and

20 (ii) a description of the reasons such
21 beneficiaries may cease seeking such treat-
22 ment.

23 (E) A comparison of the rates of prenatal
24 or postpartum mental health conditions within
25 the military community to such rates in the ci-

1 vilian population, as reported by the Centers for
2 Disease Control and Prevention.

3 (F) An assessment of any effects of im-
4 plicit or explicit bias in prenatal and
5 postpartum mental health care under the
6 TRICARE program, or evidence of racial or so-
7 cioeconomic barriers to such care.

8 (b) REPORT.—Not later than one year after the date
9 of the enactment of this Act, the Comptroller General shall
10 submit to the Committees on Armed Services of the Sen-
11 ate and the House of Representatives a report on the find-
12 ings of the study conducted under subsection (a), includ-
13 ing—

14 (1) recommendations for actions to be taken by
15 the Secretary of Defense to improve prenatal and
16 postpartum mental health among members of the
17 Armed Forces and dependents of such members; and

18 (2) such other recommendations as the Comp-
19 troller General determines appropriate.

20 (c) DEFINITIONS.—In this section, the terms “de-
21 pendent” and “TRICARE program” have the meanings
22 given those terms in section 1072 of title 10, United
23 States Code.

1 **SEC. 750. PLAN FOR EVALUATION OF FLEXIBLE SPENDING**
2 **ACCOUNT OPTIONS FOR MEMBERS OF THE**
3 **UNIFORMED SERVICES AND THEIR FAMILIES.**

4 (a) IN GENERAL.—Not later than March 1, 2021, the
5 Secretary of Defense shall submit to the congressional de-
6 fense committees a plan to evaluate flexible spending ac-
7 count options that allow pre-tax payment of health and
8 dental insurance premiums, out-of-pocket health care ex-
9 penses, and dependent care expenses for members of the
10 uniformed services and their family members, including an
11 identification of any legislative or administrative barriers
12 to achieving the implementation of such options.

13 (b) UNIFORMED SERVICES DEFINED.—In this sec-
14 tion, the term “uniformed services” has the meaning given
15 that term in section 101 of title 37, United States Code.

16 **SEC. 751. ASSESSMENT OF RECEIPT BY CIVILIANS OF**
17 **EMERGENCY MEDICAL TREATMENT AT MILI-**
18 **TARY MEDICAL TREATMENT FACILITIES.**

19 (a) ASSESSMENT.—Not later than one year after the
20 date of the enactment of this Act, the Comptroller General
21 of the United States shall complete an assessment of the
22 provision by the Department of Defense of emergency
23 medical treatment to civilians who are not covered bene-
24 ficiaries at military medical treatment facilities during the
25 period beginning on October 1, 2015, and ending on Sep-
26 tember 30, 2020.

1 (b) ELEMENTS OF ASSESSMENT.—The assessment
2 completed under subsection (a) shall include, with respect
3 to civilians who received emergency medical treatment at
4 a military medical treatment facility during the period
5 specified in such paragraph, the following:

6 (1) The total fees charged to such civilians for
7 such treatment and the total fees collected.

8 (2) The amount of medical debt from such
9 treatment that was garnished from such civilians,
10 categorized by garnishment from Social Security
11 benefits, tax refunds, wages, or other financial asset.

12 (3) The number of such civilians from whom
13 medical debt from such treatment was garnished.

14 (4) The total fees for such treatment that were
15 waived for such civilians.

16 (5) With respect to medical debt incurred by
17 such civilians from such treatment—

18 (A) the amount of such debt that was col-
19 lected by the Department of Defense;

20 (B) the amount of such debt still owed to
21 the Department; and

22 (C) the amount of debt transferred from
23 the Department of Defense to the Department
24 of the Treasury for collection.

1 (6) The number of such civilians from whom
2 such medical debt was collected who did not possess
3 medical insurance at the time of such treatment.

4 (7) The number of such civilians from whom
5 such medical debt was collected who collected Social
6 Security benefits at the time of such treatment.

7 (8) The number of such civilians from whom
8 such medical debt was collected who, at the time of
9 such treatment, earned—

10 (A) less than the poverty line;

11 (B) less than 200 percent of the poverty
12 line;

13 (C) less than 300 percent of the poverty
14 line; and

15 (D) less than 400 percent of the poverty
16 line.

17 (9) An assessment of the process through which
18 military medical treatment facilities seek to recover
19 unpaid medical debt from such civilians, including
20 whether the Department of Defense contracts with
21 private debt collectors to recover such unpaid med-
22 ical debt.

23 (10) An assessment of the process, if any,
24 through which such civilians can apply to have med-
25 ical debt for such treatment waived, forgiven, can-

1 celed, or otherwise determined to not be a financial
2 obligation of the civilian.

3 (11) Such other information as the Comptroller
4 General determines appropriate.

5 (c) REPORT.—Not later than 180 days after the com-
6 pletion of the assessment under subsection (a), the Comp-
7 troller General shall submit to the Committees on Armed
8 Services of the Senate and the House of Representatives
9 a report containing the results of the assessment.

10 (d) DEFINITIONS.—In this section:

11 (1) CIVILIAN.—The term “civilian” means an
12 individual who is not—

13 (A) a member of the Armed Forces;

14 (B) a contractor of the Department of De-
15 fense; or

16 (C) a civilian employee of the Department.

17 (2) COVERED BENEFICIARY.—The term “cov-
18 ered beneficiary” has the meaning given that term
19 in section 1072(5) of title 10, United States Code.

20 (3) POVERTY LINE.—The term “poverty line”
21 has the meaning given that term in section 673 of
22 the Community Services Block Grant Act (42 U.S.C.
23 9902).

1 **SEC. 752. REPORT ON BILLING PRACTICES FOR HEALTH**
2 **CARE FROM DEPARTMENT OF DEFENSE.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) Through the TRICARE program, the De-
5 partment of Defense provides health care benefits
6 and services to approximately 9,500,000 bene-
7 ficiaries.

8 (2) The Department of Defense is not struc-
9 tured as a typical health care provider, which can
10 lead to complicated billing practices and strict dead-
11 lines for members of the Armed Forces, former
12 members of the Armed Forces, and their depend-
13 ents, as well as for providers.

14 (3) Numerous findings issued by the Inspector
15 General of the Department of Defense between 2014
16 and 2019 describe the third-party collection program
17 of the Department as inadequately managed, result-
18 ing in substantial uncollected funds that could be
19 used to improve the quality of health care at mili-
20 tary medical treatment facilities.

21 (4) Numerous press reports have found that the
22 Federal Government aggressively collects unpaid
23 debts from uninsured or low-income civilian patients
24 who happen to receive treatment at a military med-
25 ical treatment facility, even though providing that

1 treatment often benefits military readiness by pro-
2 viding experience to military medical professionals.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that it is in the national interest of the United States
5 to ensure members of the Armed Forces, former members
6 of the Armed Forces, and their dependents receive high-
7 quality health care, and that Federal agencies prioritize
8 fairness and accessibility when administering health care.

9 (c) REPORT.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the
12 Comptroller General of the United States shall sub-
13 mit to Congress a report assessing the billing prac-
14 tices of the Department of Defense for care received
15 under the TRICARE program or at military medical
16 treatment facilities.

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

19 (A) A description of the extent to which
20 data is being collected and maintained on
21 whether beneficiaries under the TRICARE pro-
22 gram have other forms of health insurance.

23 (B) A description of the extent to which
24 the Secretary of Defense has implemented the
25 recommendations of the Inspector General of

1 the Department of Defense to improve collec-
2 tions of third-party payments for care at mili-
3 tary medical treatment facilities and a descrip-
4 tion of the impact such implementation has had
5 on such beneficiaries.

6 (C) A description of the extent to which
7 the process used by managed care support con-
8 tractors under the TRICARE program to adju-
9 dicate third-party liability claims is efficient
10 and effective, including with respect to commu-
11 nication with such beneficiaries.

12 (d) TRICARE PROGRAM DEFINED.—In this section,
13 the term “TRICARE program” has the meaning given
14 that term in section 1072 of title 10, United States Code.

15 **SEC. 753. ACCESS OF VETERANS TO INDIVIDUAL LONGITU-**
16 **DINAL EXPOSURE RECORD.**

17 The Secretary of Veterans Affairs, in consultation
18 with the Secretary of Defense, shall provide to a veteran
19 read-only access to the documents of the veteran contained
20 in the Individual Longitudinal Exposure Record in a
21 printable format through a portal accessible through a
22 website of the Department of Veterans Affairs and a
23 website of the Department of Defense.

1 **SEC. 754. STUDY ON THE INCIDENCE OF CANCER DIAG-**
2 **NOSIS AND MORTALITY AMONG MILITARY**
3 **AVIATORS AND AVIATION SUPPORT PER-**
4 **SONNEL.**

5 (a) STUDY.—

6 (1) IN GENERAL.—The Secretary of Defense, in
7 conjunction with the National Institutes of Health
8 and the National Cancer Institute, shall conduct a
9 study on cancer among covered individuals in two
10 phases as provided in this subsection.

11 (2) PHASE 1.—

12 (A) IN GENERAL.—Under the initial phase
13 of the study conducted under paragraph (1),
14 the Secretary of Defense shall determine if
15 there is a higher incidence of cancers occurring
16 for covered individuals as compared to similar
17 age groups in the general population through
18 the use of the database of the Surveillance, Epi-
19 demiology, and End Results program of the Na-
20 tional Cancer Institute.

21 (B) REPORT.—Not later than one year
22 after the date of the enactment of this Act, the
23 Secretary shall submit to the appropriate com-
24 mittees of Congress a report on the findings of
25 the initial phase of the study under subpara-
26 graph (A).

1 (3) PHASE 2.—

2 (A) IN GENERAL.—If, pursuant to the ini-
3 tial phase of the study under paragraph (2), the
4 Secretary concludes that there is an increased
5 rate of cancers among covered individuals, the
6 Secretary shall conduct a second phase of the
7 study under which the Secretary shall do the
8 following:

9 (i) Identify the carcinogenic toxins or
10 hazardous materials associated with mili-
11 tary flight operations from shipboard or
12 land bases or facilities, such as fuels,
13 fumes, and other liquids.

14 (ii) Identify the operating environ-
15 ments, including frequencies or electro-
16 magnetic fields, where exposure to ionizing
17 radiation (associated with high altitude
18 flight) and nonionizing radiation (associ-
19 ated with airborne, ground, and shipboard
20 radars) occurred in which covered individ-
21 uals could have received increased radi-
22 ation amounts.

23 (iii) Identify, for each covered indi-
24 vidual, duty stations, dates of service, air-
25 craft flown, and additional duties (includ-

1 ing Landing Safety Officer, Catapult and
2 Arresting Gear Officer, Air Liaison Offi-
3 cer, Tactical Air Control Party, or per-
4 sonnel associated with aircraft mainte-
5 nance, supply, logistics, fuels, or transpor-
6 tation) that could have increased the risk
7 of cancer for such covered individual.

8 (iv) Determine locations where a cov-
9 ered individual served or additional duties
10 of a covered individual that are associated
11 with higher incidences of cancers.

12 (v) Identify potential exposures due to
13 service in the Armed Forces that are not
14 related to aviation, such as exposure to
15 burn pits or toxins in contaminated water,
16 embedded in the soil, or inside bases or
17 housing.

18 (vi) Determine the appropriate age to
19 begin screening covered individuals for
20 cancer based on race, gender, flying hours,
21 period of service as aviation support per-
22 sonnel, Armed Force, type of aircraft, and
23 mission.

24 (B) DATA.—The Secretary shall format all
25 data included in the study conducted under this

1 paragraph in accordance with the Surveillance,
2 Epidemiology, and End Results program of the
3 National Cancer Institute, including by
4 disaggregating such data by race, gender, and
5 age.

6 (C) REPORT.—Not later than one year
7 after the submittal of the report under para-
8 graph (2)(B), if the Secretary conducts the sec-
9 ond phase of the study under this paragraph,
10 the Secretary shall submit to the appropriate
11 committees of Congress a report on the findings
12 of the study conducted under this paragraph.

13 (4) USE OF DATA FROM PREVIOUS STUDIES.—

14 In conducting the study under this subsection, the
15 Secretary of Defense shall incorporate data from
16 previous studies conducted by the Air Force, the
17 Navy, or the Marine Corps that are relevant to the
18 study under this subsection, including data from the
19 comprehensive study conducted by the Air Force
20 identifying each covered individual and documenting
21 the cancers, dates of diagnoses, and mortality of
22 each covered individual.

23 (b) DEFINITIONS.—In this section:

1 (1) APPROPRIATE COMMITTEE OF CONGRESS.—

2 The term “appropriate committees of Congress”
3 means—

4 (A) the Committee on Armed Services and
5 the Committee on Veterans’ Affairs of the Sen-
6 ate; and

7 (B) the Committee on Armed Services and
8 the Committee on Veterans’ Affairs of the
9 House of Representatives.

10 (2) ARMED FORCES.—The term “Armed
11 Forces”—

12 (A) has the meaning given the term
13 “armed forces” in section 101 of title 10,
14 United States Code; and

15 (B) includes the reserve components
16 named in section 10101 of such title.

17 (3) COVERED INDIVIDUAL.—The term “covered
18 individual”—

19 (A) means an aviator or aviation support
20 personnel who—

21 (i) served in the Armed Forces on or
22 after February 28, 1961; and

23 (ii) receives benefits under chapter 55
24 of title 10, United States Code; and

1 (B) includes any air crew member of fixed-
 2 wing aircraft and personnel supporting genera-
 3 tion of the aircraft, including pilots, navigators,
 4 weapons systems operators, aircraft system op-
 5 erators, personnel associated with aircraft
 6 maintenance, supply, logistics, fuels, or trans-
 7 portation, and any other crew member who reg-
 8 ularly flies in an aircraft or is required to com-
 9 plete the mission of the aircraft.

10 **Subtitle D—Mental Health Services**
 11 **From Department of Veterans**
 12 **Affairs for Members of Reserve**
 13 **Components**

14 **SEC. 761. SHORT TITLE.**

15 This subtitle may be cited as the “Care and Read-
 16 ness Enhancement for Reservists Act of 2020” or the
 17 “CARE for Reservists Act of 2020”.

18 **SEC. 762. EXPANSION OF ELIGIBILITY FOR READJUSTMENT**
 19 **COUNSELING AND RELATED OUTPATIENT**
 20 **SERVICES FROM DEPARTMENT OF VETERANS**
 21 **AFFAIRS TO INCLUDE MEMBERS OF RESERVE**
 22 **COMPONENTS OF THE ARMED FORCES.**

23 (a) **READJUSTMENT COUNSELING.**—Subsection
 24 (a)(1) of section 1712A of title 38, United States Code,

1 is amended by adding at the end the following new sub-
2 paragraph:

3 “(D)(i) The Secretary, in consultation with the Sec-
4 retary of Defense, may furnish to any member of the re-
5 serve components of the Armed Forces who has a behav-
6 ioral health condition or psychological trauma, counseling
7 under subparagraph (A)(i), which may include a com-
8 prehensive individual assessment under subparagraph
9 (B)(i).

10 “(ii) A member of the reserve components of the
11 Armed Forces described in clause (i) shall not be required
12 to obtain a referral before being furnished counseling or
13 an assessment under this subparagraph.”.

14 (b) OUTPATIENT SERVICES.—Subsection (b) of such
15 section is amended—

16 (1) in paragraph (1)—

17 (A) by inserting “to an individual” after
18 “If, on the basis of the assessment furnished”;

19 and

20 (B) by striking “veteran” each place it ap-
21 pears and inserting “individual”; and

22 (2) in paragraph (2), by striking “veteran” and
23 inserting “individual”.

1 (c) EFFECTIVE DATE.—The amendments made by
 2 this section shall take effect on the date that is one year
 3 after the date of the enactment of this Act.

4 **SEC. 763. PROVISION OF MENTAL HEALTH SERVICES FROM**
 5 **DEPARTMENT OF VETERANS AFFAIRS TO**
 6 **MEMBERS OF RESERVE COMPONENTS OF**
 7 **THE ARMED FORCES.**

8 (a) IN GENERAL.—Subchapter VIII of chapter 17 of
 9 title 38, United States Code, is amended by adding at the
 10 end the following new section:

11 **“§ 1789. Mental health services for members of the re-**
 12 **serve components of the Armed Forces**

13 “The Secretary, in consultation with the Secretary of
 14 Defense, may furnish mental health services to members
 15 of the reserve components of the Armed Forces.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
 17 at the beginning of such subchapter is amended by insert-
 18 ing after the item relating to section 1788 the following
 19 new item:

“1789. Mental health services for members of the reserve components of the
 Armed Forces.”.

20 **SEC. 764. INCLUSION OF MEMBERS OF RESERVE COMPO-**
 21 **NENTS IN MENTAL HEALTH PROGRAMS OF**
 22 **DEPARTMENT OF VETERANS AFFAIRS.**

23 (a) SUICIDE PREVENTION PROGRAM.—

1 (1) IN GENERAL.—Section 1720F of title 38,
2 United States Code, is amended by adding at the
3 end the following new subsection:

4 “(1)(1) COVERED INDIVIDUAL DEFINED.—In this
5 section, the term ‘covered individual’ means a veteran or
6 a member of the reserve components of the Armed Forces.

7 “(2) In determining coverage of members of the re-
8 serve components of the Armed Forces under the com-
9 prehensive program, the Secretary shall consult with the
10 Secretary of Defense.”.

11 (2) CONFORMING AMENDMENTS.—Such section
12 is further amended—

13 (A) in subsection (a), by striking “vet-
14 erans” and inserting “covered individuals”;

15 (B) in subsection (b), by striking “vet-
16 erans” each place it appears and inserting “cov-
17 ered individuals”;

18 (C) in subsection (c)—

19 (i) in the subsection heading, by strik-
20 ing “OF VETERANS”;

21 (ii) by striking “veterans” each place
22 it appears and inserting “covered individ-
23 uals”; and

24 (iii) by striking “veteran” and insert-
25 ing “individual”;

1 (D) in subsection (d), by striking “to vet-
2 erans” each place it appears and inserting “to
3 covered individuals”;

4 (E) in subsection (e), in the matter pre-
5 ceding paragraph (1), by striking “veterans”
6 and inserting “covered individuals”;

7 (F) in subsection (f)—

8 (i) in the first sentence, by striking
9 “veterans” and inserting “covered individ-
10 uals”; and

11 (ii) in the second sentence, by insert-
12 ing “or members” after “veterans”;

13 (G) in subsection (g), by striking “vet-
14 erans” and inserting “covered individuals”;

15 (H) in subsection (h), by striking “vet-
16 erans” and inserting “covered individuals”;

17 (I) in subsection (i)—

18 (i) in the subsection heading, by strik-
19 ing “FOR VETERANS AND FAMILIES”;

20 (ii) in the matter preceding paragraph
21 (1), by striking “veterans and the families
22 of veterans” and inserting “covered indi-
23 viduals and the families of covered individ-
24 uals”;

1 (iii) in paragraph (2), by striking
2 “veterans” and inserting “covered individ-
3 uals”; and

4 (iv) in paragraph (4), by striking
5 “veterans” each place it appears and in-
6 serting “covered individuals”;

7 (J) in subsection (j)—

8 (i) in paragraph (1), by striking “vet-
9 erans” each place it appears and inserting
10 “covered individuals”; and

11 (ii) in paragraph (4)—

12 (I) in subparagraph (A), in the
13 matter preceding clause (i), by strik-
14 ing “women veterans” and inserting
15 “covered individuals who are women”;

16 (II) in subparagraph (B), by
17 striking “women veterans who” and
18 inserting “covered individuals who are
19 women and”; and

20 (III) in subparagraph (C), by
21 striking “women veterans” and insert-
22 ing “covered individuals who are
23 women”; and

24 (K) in subsection (k), by striking “vet-
25 erans” and inserting “covered individuals”.

1 (3) CLERICAL AMENDMENTS.—

2 (A) IN GENERAL.—Such section is further
3 amended, in the section heading, by inserting
4 **“and members of the reserve compo-**
5 **nents of the Armed Forces”** after **“vet-**
6 **erans”**.

7 (B) TABLE OF SECTIONS.—The table of
8 sections at the beginning of such subchapter is
9 amended by striking the item relating to section
10 1720F and inserting the following new item:

“1720F. Comprehensive program for suicide prevention among veterans and
members of the reserve components of the Armed Forces.”.

11 (b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS
12 WHO SERVED IN CLASSIFIED MISSIONS.—

13 (1) IN GENERAL.—Section 1720H of such title
14 is amended—

15 (A) in subsection (a)—

16 (i) in paragraph (1)—

17 (I) by striking “eligible veteran”
18 and inserting “eligible individual”;
19 and

20 (II) by striking “the veteran”
21 and inserting “the individual”; and

22 (ii) in paragraph (3), by striking “eli-
23 gible veterans” and inserting “eligible indi-
24 viduals”;

1 (B) in subsection (b)—

2 (i) by striking “a veteran” and insert-
3 ing “an individual”; and

4 (ii) by striking “eligible veteran” and
5 inserting “eligible individual”; and

6 (C) in subsection (c)—

7 (i) in paragraph (2), in the matter
8 preceding subparagraph (A), by striking
9 “The term ‘eligible veteran’ means a vet-
10 eran” and inserting “The term ‘eligible in-
11 dividual’ means a veteran or a member of
12 the reserve components of the Armed
13 Forces”; and

14 (ii) in paragraph (3), by striking “eli-
15 gible veteran” and inserting “eligible indi-
16 vidual”.

17 (2) CLERICAL AMENDMENTS.—

18 (A) IN GENERAL.—Such section is further
19 amended, in the section heading, by inserting
20 “**and members of the reserve compo-**
21 **ments of the Armed Forces**” after “**vet-**
22 **erans**”.

23 (B) TABLE OF SECTIONS.—The table of
24 sections at the beginning of chapter 17 of such
25 title is amended by striking the item relating to

1 section 1720H and inserting the following new
2 item:

“1720H. Mental health treatment for veterans and members of the reserve components of the Armed Forces who served in classified missions.”.

3 **SEC. 765. REPORT ON MENTAL HEALTH AND RELATED**
4 **SERVICES PROVIDED BY DEPARTMENT OF**
5 **VETERANS AFFAIRS TO MEMBERS OF THE**
6 **ARMED FORCES.**

7 (a) IN GENERAL.—Not later than one year after the
8 date of the enactment of this Act, the Secretary of Vet-
9 erans Affairs shall submit to the Committee on Veterans’
10 Affairs and the Committee on Appropriations of the Sen-
11 ate and the Committee on Veterans’ Affairs and the Com-
12 mittee on Appropriations of the House of Representatives
13 a report that includes an assessment of the following:

14 (1) The increase, as compared to the day before
15 the date of the enactment of this Act, of the number
16 of members of the Armed Forces that use readjust-
17 ment counseling or outpatient mental health care
18 from the Department of Veterans Affairs,
19 disaggregated by State, Vet Center location, and
20 clinical care site of the Department, as appropriate.

21 (2) The number of members of the reserve com-
22 ponents of the Armed Forces receiving telemental
23 health care from the Department.

1 (3) The increase, as compared to the day before
2 the date of the enactment of this Act, of the annual
3 cost associated with readjustment counseling and
4 outpatient mental health care provided by the De-
5 partment to members of the reserve components of
6 the Armed Forces.

7 (4) The changes, as compared to the day before
8 the date of the enactment of this Act, in staffing,
9 training, organization, and resources required for
10 the Department to offer readjustment counseling
11 and outpatient mental health care to members of the
12 reserve components of the Armed Forces.

13 (5) Any challenges the Department has encoun-
14 tered in providing readjustment counseling and out-
15 patient mental health care to members of the reserve
16 components of the Armed Forces.

17 (b) VET CENTER DEFINED.—In this section, the
18 term “Vet Center” has the meaning given that term in
19 section 1712A(h) of title 38, United States Code.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Industrial Base Matters**

6 **SEC. 801. POLICY RECOMMENDATIONS FOR IMPLEMENTA-**
7 **TION OF EXECUTIVE ORDER 13806 (ASSESS-**
8 **ING AND STRENGTHENING THE MANUFAC-**
9 **TURING AND DEFENSE INDUSTRIAL BASE**
10 **AND SUPPLY CHAIN RESILIENCY).**

11 (a) SUBMISSION OF RECOMMENDATIONS TO SEC-
12 RETARY OF DEFENSE.—In order to fully implement the
13 July 21, 2017, Presidential Executive Order on Assessing
14 and Strengthening the Manufacturing and Defense Indus-
15 trial Base and Supply Chain Resiliency of the United
16 States, not later than 540 days after the date of the enact-
17 ment of this Act, the Under Secretary of Defense for Ac-
18 quisition and Sustainment shall submit to the Secretary
19 of Defense a series of recommendations regarding United
20 States industrial policies. The recommendations shall con-
21 sist of specific executive actions, programmatic changes,
22 regulatory changes, and legislative proposals and changes,
23 as appropriate.

1 (b) SCOPE OF ASSESSMENT.—In developing the rec-
2 ommendations required under subsection (a), the Under
3 Secretary shall assess—

4 (1) direct subsidies and investment in the econ-
5 omy;

6 (2) direct provision of credit and purchases of
7 private sector bonds and equity;

8 (3) prize-based technology challenges for critical
9 research and development milestones;

10 (4) capital controls and dollar policy;

11 (5) trade policy, including export control policy,
12 government acquisition policy, and targeted protec-
13 tionist policies;

14 (6) export promotion policies;

15 (7) foreign talent attraction and retention;

16 (8) graduate education policy; and

17 (9) expansion of existing or establishment of
18 new public-private partnerships, including the Trust-
19 ed Capital Marketplace.

20 (c) OBJECTIVES.—The recommendations made pur-
21 suant to subsection (a) shall aim to—

22 (1) facilitate only high-value design, engineer-
23 ing, and manufacturing activities;

24 (2) expand the defense industrial base to in-
25 clude friendly and capable allies and partners;

1 (3) preserve the viability of domestic and inter-
2 national suppliers;

3 (4) include export and productivity incentives;

4 (5) accord with standing international trade
5 law; and

6 (6) strengthen the domestic national security
7 industrial base, especially in areas currently depend-
8 ent on foreign suppliers.

9 (d) CONSULTATION.—In assessing the areas specified
10 in subsection (b) and developing the recommendations re-
11 quired under subsection (a), the Under Secretary shall
12 consult or inaugurate studies with, as appropriate, the
13 Joint Industrial Base Working Group, the Defense
14 Science Board, the Defense Innovation Board, economists,
15 commercial industry, and federally funded research and
16 development centers.

17 (e) SUBMISSION OF RECOMMENDATIONS TO PRESI-
18 DENT.—Not later than 30 days after receiving the rec-
19 ommendations under subsection (a), the Secretary of De-
20 fense shall submit the recommendations, together with any
21 additional views or recommendations, to the President, the
22 Office of Management and Budget, the National Security
23 Council, and the National Economic Council.

24 (f) SUBMISSION OF RECOMMENDATIONS TO CON-
25 GRESS.—Not later than 30 days after submitting the rec-

1 ommendations to the President under section (e), the Sec-
2 retary of Defense shall submit the recommendations to
3 and brief the congressional defense committees on the rec-
4 ommendations.

5 **SEC. 802. ASSESSMENT OF NATIONAL SECURITY INNOVA-**
6 **TION BASE.**

7 (a) IN GENERAL.—Not later than 540 days after the
8 date of the enactment of this Act, the Deputy Secretary
9 of Defense shall submit to the Secretary of Defense an
10 assessment of the economic forces and structures shaping
11 the capacity of the national security innovation base and
12 policy recommendations pertaining to the outcome of such
13 assessment.

14 (b) ELEMENTS.—The assessment required under
15 subsection (a) shall review the following matters as they
16 pertain to the innovative and manufacturing capacity of
17 the national security innovation base:

18 (1) Competition and antitrust policy.

19 (2) Immigration policy, including the policies
20 germane to the attraction and retention of skilled
21 immigrants.

22 (3) Graduate education funding and policy.

23 (4) Demand stabilization and social safety net
24 policies.

1 (5) The structure and incentives of financial
2 markets and businesses' access to credit.

3 (6) Trade policy, including export control pol-
4 icy.

5 (7) The tax code and its effect on investment,
6 including the Federal research and development tax
7 credit.

8 (8) Deregulation in critical economic sectors,
9 land use, environment review, and construction and
10 manufacturing activities.

11 (9) National economic and manufacturing infra-
12 structure.

13 (10) Intellectual property reform.

14 (11) Federally funded investments in the econ-
15 omy, including research and development and ad-
16 vanced manufacturing.

17 (12) Federally funded procurement of goods
18 and services.

19 (13) Federally funded investments to expand
20 domestic manufacturing capabilities.

21 (c) **ENGAGEMENT WITH CERTAIN ENTITIES.**—In
22 conducting the assessment required under subsection (a),
23 the Deputy Secretary shall engage through appropriate
24 mechanisms with the Defense Science Board, the Defense
25 Innovation Board, the Defense Business Board, academic

1 experts, commercial industry, and federally funded re-
2 search and development centers.

3 (d) SUBMISSION OF ASSESSMENT.—Not later than
4 30 days after receiving the assessment and recommenda-
5 tions under subsection (a), the Secretary of Defense shall
6 submit the assessment, together with recommendations
7 and any additional views of the Secretary, to the Presi-
8 dent, the Office of Management and Budget, the National
9 Security Council, the National Economic Council, and the
10 congressional defense committees.

11 **SEC. 803. IMPROVING IMPLEMENTATION OF POLICY PER-**
12 **TAINING TO THE NATIONAL TECHNOLOGY**
13 **AND INDUSTRIAL BASE.**

14 (a) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE
15 IMPLEMENTATION.—

16 (1) ASSESSMENT OF RESEARCH AND DEVELOP-
17 MENT, MANUFACTURING, AND PRODUCTION CAPA-
18 BILITIES.—

19 (A) IN GENERAL.—In developing the strat-
20 egy required by section 2501 of title 10, United
21 States Code, carrying out the analysis of the
22 national technology and industrial base required
23 by section 2503 of such title, and performing
24 the periodic assessments required under section
25 2505 of such title, the Secretary of Defense

1 shall, in consultation with the Under Secretary
2 of Defense for Acquisition and Sustainment and
3 the Under Secretary of Research and Engineer-
4 ing, assess the research and development, man-
5 ufacturing, and production capabilities of enti-
6 ties within the United States and non-United
7 States members of the national technology and
8 industrial base as well as other friendly nations.

9 (B) IDENTIFICATION OF SPECIFIC TECH-
10 NOLOGIES, COMPANIES, LABORATORIES, AND
11 FACTORIES.—The assessment shall include
12 identification of specific technologies, compa-
13 nies, laboratories, and factories of or located in
14 the United States and the non-United States
15 members of the national technology and indus-
16 trial base of potential value to current and fu-
17 ture Department of Defense plans and pro-
18 grams.

19 (2) POLICY AND GUIDANCE.—Consistent with
20 section 2440 of title 10, United States Code, the
21 Under Secretary of Defense for Acquisition and
22 Sustainment shall develop and promulgate to the
23 service and command acquisition executives, the
24 heads of the appropriate defense agencies and field
25 activities, and relevant program managers acquisi-

1 tion policy and guidance germane to the use of the
2 research and development, manufacturing, and pro-
3 duction capabilities identified pursuant to paragraph
4 (1)(B) and the technologies, companies, laboratories,
5 and factories in specific Department of Defense re-
6 search and development, international cooperative
7 research, procurement, and sustainment activities.

8 (b) COOPERATIVE RESEARCH AND DEVELOPMENT.—

9 (1) AUTHORITY TO ENTER INTO COOPERATIVE
10 RESEARCH AND DEVELOPMENT PROJECTS WITH NA-
11 TIONS IN THE NATIONAL TECHNOLOGY AND INDUS-
12 TRIAL BASE.—Section 2350a(a)(2) of title 10,
13 United States Code, is amended by adding at the
14 end the following new subparagraph:

15 “(F) A nation in the National Technology and
16 Industrial Base, as defined by section 2500 of title
17 10, United States Code.”.

18 (2) REGULATIONS.—Not later than 120 days
19 after the date of the enactment of this Act, the Sec-
20 retary of Defense shall revise the Department of De-
21 fense Supplement to the Federal Acquisition Regula-
22 tion to conform with subparagraph (F) of section
23 2350a(a)(2) of title 10, United States Code, as
24 added by paragraph (1).

1 (c) REGULATORY COUNCIL.—Section 2502 of title
2 10, United States Code, is amended by inserting after sub-
3 section (d) the following new subsection:

4 “(e) NATIONAL TECHNOLOGY AND INDUSTRIAL
5 BASE REGULATORY COUNCIL.—

6 “(1) ESTABLISHMENT.—The Chairman of the
7 National Defense Technology and Industrial Base
8 Council shall work with the equivalent designees in
9 the countries that comprise the national technology
10 and industrial base to establish the National Tech-
11 nology and Industrial Base Regulatory Council.

12 “(2) MEETINGS.—The National Technology
13 and Industrial Base Regulatory Council shall meet
14 biannually to harmonize respective policies and regu-
15 lations, and to propose new legislation and regula-
16 tions that increase the integration between the poli-
17 cies, persons, and organizations comprising the na-
18 tional technology and industrial base.

19 “(3) DUTIES.—The National Technology and
20 Industrial Base Regulatory Council shall—

21 “(A) address and review issues related to
22 industrial security, supply chain security, cyber-
23 security, regulating foreign direct investment
24 and foreign ownership, control and influence
25 mitigation, market research, technology assess-

1 ment, and research cooperation within public
2 and private research and development organiza-
3 tions and universities, technology and export
4 control measures, acquisition processes and
5 oversight, and management best practices; and

6 “(B) establish a mechanism for national
7 technology and industrial base members to raise
8 disputes that arise within the national tech-
9 nology and industrial base at a government-to-
10 government level.”.

11 (d) RECOMMENDATIONS FOR ADDITIONAL MEMBERS
12 OF THE NATIONAL TECHNOLOGY AND INDUSTRIAL
13 BASE.—

14 (1) IN GENERAL.—The Secretary of Defense
15 shall establish a process to consider the inclusion of
16 additional member nations in the national tech-
17 nology and industrial base.

18 (2) ELEMENTS.—The process developed under
19 paragraph (1) shall include—

20 (A) analysis of the national security costs
21 and benefits to the United States and allies of
22 the inclusion of such additional member nation
23 in the national technology and industrial base;

24 (B) analysis of the economic costs and
25 benefits to entities within the United States and

1 allies of the inclusion of such additional mem-
2 ber nation into the national technology and in-
3 dustrial base, including an assessment of—

4 (i) specific shortfalls in the techno-
5 logical and industrial capacities of current
6 member nations of the national technology
7 and industrial base that would be ad-
8 dressed by inclusion of such additional
9 member nation; and

10 (ii) specific areas in the industrial
11 bases of current member nations of the na-
12 tional technology and industrial base that
13 would likely be impacted by additional
14 competition if such additional nation were
15 included in the national technology and in-
16 dustrial base; and

17 (C) analysis of other factors as determined
18 relevant by the Secretary.

19 (3) RECOMMENDED LEGISLATION.—

20 (A) IN GENERAL.—The Secretary of De-
21 fense may submit legislative proposals to Con-
22 gress to add new nations to the national tech-
23 nology and industrial base.

1 (B) ELEMENTS.—Proposals submitted
2 pursuant to subparagraph (A) shall include the
3 following elements:

4 (i) A summary of the analyses per-
5 formed pursuant to subsection (d)(2).

6 (ii) A set of metrics to assess the na-
7 tional security and economic benefits that
8 such inclusion is expected to accrue to en-
9 tities within the United States and allied
10 nations.

11 (4) REPORT.—Not later than 540 days after
12 the date of the enactment of this Act, the Secretary
13 shall submit to the congressional defense committees
14 a report with recommendations regarding whether to
15 include in the national technology and industrial
16 base each country with which the United States
17 maintains a mutual defense treaty, a reciprocal de-
18 fense procurement agreement, or other defense co-
19 operation agreement. The report shall be based on
20 assessments conducted using the process established
21 under paragraph (1) and shall include, for each
22 country recommended for inclusion, the information
23 specified in paragraph (3)(B).

1 **SEC. 804. MODIFICATION OF FRAMEWORK FOR MODERN-**
 2 **IZING ACQUISITION PROCESSES TO ENSURE**
 3 **INTEGRITY OF INDUSTRIAL BASE.**

4 Section 2509 of title 10, United States Code, as
 5 added by section 845(a) of the National Defense Author-
 6 ization Act for Fiscal Year 2020 (Public Law 116–92),
 7 is amended—

8 (1) in subsection (b)(2)—

9 (A) in subparagraph (A)—

10 (i) by inserting “, such as those iden-
 11 tified through the Department of Defense’s
 12 supply chain risk management process and
 13 by the Federal Acquisition Security Coun-
 14 cil, and” after “supply chain risks”; and

15 (ii) in clause (ii), by striking “(other
 16 than optical transmission components)”;

17 (B) in subparagraph (C)—

18 (i) in clause (x), by striking “; and”
 19 and inserting a semicolon;

20 (ii) by redesignating clause (xi) as
 21 clause (xii); and

22 (iii) by inserting after clause (x) the
 23 following new clause:

24 “(xi) processes and procedures related to
 25 supply chain risk management, including those
 26 implemented pursuant to section 806 of the Ike

1 Skelton National Defense Authorization Act for
2 Fiscal Year 2011 (Public Law 111–383; 10
3 U.S.C. 2304 note); and”;

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

6 “(E) Characterization and assessment of indus-
7 trial base support policies, programs, and proce-
8 dures, including—

9 (i) limitations and acquisition guidance
10 relevant to the national technology and indus-
11 trial base (as defined in section 2500(1) of this
12 title);

13 (ii) limitations and acquisition guidance
14 relevant to section 2533a of this title;

15 (iii) the Industrial Base Analysis and
16 Sustainment program, including direct support
17 and common design activities;

18 (iv) the Small Business Innovation Re-
19 search program;

20 (v) the Department of Defense Manufac-
21 turing Technology program;

22 (vi) programs related to the Defense Pro-
23 duction Act of 1950 (50 U.S.C. 4511 et seq.);

24 (vii) the Trusted Capital Marketplace
25 program; and

1 “(viii) programs in the military services.”;
2 and
3 (2) in subsection (f)(2), by inserting “, and
4 supporting policies, procedures, and guidance” after
5 “pursuant to subsection (b)”.

6 **SEC. 805. ASSESSMENTS OF INDUSTRIAL BASE CAPABILI-**
7 **TIES AND CAPACITY.**

8 (a) **ASSESSMENTS.**—The Secretary of Defense shall
9 define intelligence and other information requirements,
10 sources, and organizational responsibilities for assessing
11 foreign adversary technological and industrial bases and
12 conducting comparative analyses of such technological and
13 industrial bases. The requirements, sources, and respon-
14 sibilities shall include—

15 (1) examining the competitive advantages for-
16 eign adversaries are pursuing, including with respect
17 to regulation, raw materials, educational capacity,
18 labor, and capital accessibility;

19 (2) assessing relative cost, speed of product de-
20 velopment, age and value of the installed capital
21 base, leadership’s technical competence and agility,
22 nationally imposed inhibiting conditions, the avail-
23 ability of human and material resources, and the
24 burdens of government oversight;

1 (3) a temporal evaluation of the competitive
2 strengths and weaknesses of United States industry,
3 including manufacturing surge capacity, versus the
4 directed priorities and capabilities of foreign adver-
5 sary governments; and

6 (4) assessing any other issues that the Sec-
7 retary of Defense determines appropriate.

8 (b) **METHODOLOGY.**—The Deputy Assistant Sec-
9 retary of Defense for Industrial Policy shall incorporate
10 inputs pursuant to subsection (a) as part of a methodology
11 to continuously assess domestic and foreign industries,
12 markets, and companies of significance to military and in-
13 dustrial advantage to identify supply chain vulnerabilities.

14 (c) **REPORT.**—

15 (1) **IN GENERAL.**—Not later than March 15,
16 2021, the Secretary of Defense shall submit to the
17 congressional defense committees a report on efforts
18 to establish the continuous assessment activity re-
19 quired under subsections (a) and (b).

20 (2) **ELEMENTS.**—The report submitted under
21 paragraph (1) shall include a consideration of
22 whether it would be appropriate to task some of the
23 assessment work to an organization independent of
24 the Department, and any recommendations regard-
25 ing which organization should perform such work.

1 **SEC. 806. ANALYSES OF CERTAIN MATERIALS AND TECH-**
2 **NOLOGY SECTORS FOR ACTION TO ADDRESS**
3 **SOURCING AND INDUSTRIAL CAPACITY.**

4 (a) ANALYSES REQUIRED.—

5 (1) IN GENERAL.—The Secretary of Defense,
6 acting through the Undersecretary for Acquisition
7 and Sustainment and other appropriate officials,
8 shall review the materials, processes, and technology
9 sectors under subsection (c) to determine and de-
10 velop appropriate actions, consistent with the poli-
11 cies, programs, and activities required under chapter
12 148 of title 10, United States Code, including—

13 (A) restricting procurement, with appro-
14 priate waivers for cost, emergency require-
15 ments, and non-availability of suppliers, includ-
16 ing restricting procurement to—

17 (i) suppliers in the United States;

18 (ii) suppliers in the national tech-
19 nology and industrial base (as defined in
20 section 2500(1) of title 10, United States
21 Code);

22 (iii) suppliers in other allied nations;

23 or

24 (iv) other suppliers;

25 (B) increasing investment to expand capac-
26 ity or diversifying sources of supply or alter-

1 native approaches to addressing military re-
2 quirements, through use of research and devel-
3 opment or procurement activities and acquisi-
4 tion authorities;

5 (C) taking a combination of actions de-
6 scribed under subparagraphs (A) and (B); or

7 (D) taking no actions, restrictions, or addi-
8 tional investment.

9 (2) CONSIDERATIONS.—The analyses conducted
10 pursuant to paragraph (1) shall consider national se-
11 curity, economic, and treaty implications, as well as
12 impacts on current and potential suppliers of goods
13 and services.

14 (b) RECOMMENDATIONS.—The analyses conducted
15 pursuant to subsection (a) shall be used to inform policy,
16 agreements, guidance and reporting requirements under
17 chapter 148 of title 10, United States Code, including—

18 (1) the annual report to Congress required
19 under section 2504 of such title;

20 (2) the annual report on unfunded priorities of
21 the national technology and industrial base required
22 under section 2504a of such title;

23 (3) Department of Defense technology and in-
24 dustrial base policy guidance prescribed under sec-
25 tion 2506 of such title;

1 (4) activities to modernize acquisition processes
2 to ensure integrity of industrial base pursuant to
3 section 2509 of such title;

4 (5) defense memoranda of understanding and
5 related agreements considered in accordance with
6 section 2531 of such title;

7 (6) other requirements as appropriate.

8 (c) MATERIALS, TECHNOLOGIES, AND PROCESSES OF
9 INTEREST.—The Secretary of Defense shall prioritize un-
10 dertaking analyses and making recommendations under
11 this section for the following goods and services:

12 (1) Goods and services covered under existing
13 restrictions, where a domestic non-availability deter-
14 mination has been made.

15 (2) Critical technologies identified in the Na-
16 tional Defense Strategy.

17 (3) Technologies and sectors identified in re-
18 ports required regarding the defense industrial base.

19 (4) Microelectronics.

20 (5) Printed circuit boards and other electronics
21 components.

22 (6) Pharmaceuticals.

23 (7) Medical devices.

24 (8) Personal protective equipment.

25 (9) Rare earth materials.

1 (10) Synthetic graphite.

2 (11) Coal-based rayon carbon fibers.

3 (12) Aluminum.

4 **SEC. 807. MICROELECTRONICS MANUFACTURING STRAT-**
5 **EGY.**

6 (a) IN GENERAL.—Not later than January 1, 2021,
7 the Deputy Secretary of Defense, in consultation with the
8 Under Secretary of Defense for Acquisition and
9 Sustainment, the Under Secretary for Research and Engi-
10 neering, and the Director of the Defense Advanced Re-
11 search Projects Agency, shall submit to the Secretary of
12 Defense and the Chairman of the Joint Chiefs of Staff
13 a strategy to manufacture state-of-the art integrated cir-
14 cuits in the United States within a period of three to five
15 years that includes a plan to explore and evaluate options
16 for re-establishing microelectronics foundry services and
17 the industrial capabilities associated with such services.

18 (b) ELEMENTS.—In developing the strategy required
19 under subsection (a), the Under Secretary shall consider—

20 (1) multiple models of public-private partner-
21 ships to execute the strategy;

22 (2) processes and criteria for competitive selec-
23 tion of commercial companies, including companies
24 headquartered in allied and partner countries, to
25 provide design, foundry and assembly, and pack-

1 aging services and to build and operate the indus-
2 trial capabilities associated with such services;

3 (3) the role that the broader Federal Govern-
4 ment should play in organizing and supporting the
5 strategy, including any required direct or indirect
6 funding support, or legislative and regulatory ac-
7 tions, including restricting procurements to domestic
8 sources, and providing anti-trust and export control
9 relief; and

10 (4) all potential funding sources and mecha-
11 nisms for initial and sustaining investments.

12 (c) SUBMISSION OF STRATEGY TO PRESIDENT.—Not
13 later February 1, 2021, the Secretary of Defense shall
14 submit the strategy, together with any views and rec-
15 ommendations, and an estimated budget to implement the
16 strategy, to the President, the National Security Council,
17 and the National Economic Council.

18 (d) BRIEFING.—Not later than March 1, 2021, the
19 Secretary of Defense shall submit the strategy to and brief
20 the congressional defense committees on the strategy and
21 the Secretary's recommendations.

22 **SEC. 808. ADDITIONAL REQUIREMENTS PERTAINING TO**
23 **PRINTED CIRCUIT BOARDS.**

24 (a) PURCHASES.—Not later than one year after the
25 date of enactment of this Act, the Secretary of Defense

1 shall require for new contracts or other acquisition activi-
2 ties that contractors, or subcontractors at any tier, that
3 provide covered printed circuit boards for use by the De-
4 partment of Defense certify that, of the total value of the
5 covered printed circuit boards provided by the contractor
6 or subcontractor pursuant to a contract or subcontract
7 with the Department of Defense, not less than the per-
8 centages set forth in subsection (b) were manufactured
9 and assembled within a covered nation.

10 (b) IMPLEMENTATION.—

11 (1) ESTABLISHMENT OF REQUIRED PERCENT-
12 AGES.—In establishing the certification process
13 under subsection (a), the Secretary shall establish
14 and publish increasing percentages of values of the
15 covered printed circuit boards under subsection (a)
16 to be complied with by appropriate contractors and
17 subcontractors, based on—

18 (A) assessment of covered nation capacity
19 to supply printed circuit boards, over time;

20 (B) assessment of threats to national secu-
21 rity capabilities from use of printed circuit
22 boards from non-covered nations;

23 (C) economic benefits accrued by non-cov-
24 ered nations which would otherwise be accrued
25 by covered nations;

1 (D) achieving a goal of production of 100
2 percent of manufacture and assembly of printed
3 circuit boards in covered nations within ten
4 years; and

5 (E) other criteria as determined appro-
6 priate.

7 (2) MINIMUM PERCENTAGES.—The percentages
8 established by the Secretary under this subsection
9 shall, in any case, be equal to or greater than, unless
10 specifically directed by the Secretary for an indi-
11 vidual contract or subcontract—

12 (A) 25 percent by October 1, 2023;

13 (B) 50 percent by October 1, 2025;

14 (C) 75 percent by October 1, 2029; and

15 (D) 100 percent by October 1, 2032.

16 (3) LIMITED EXCEPTIONS.—If the Secretary of
17 Defense directs that a specific contract or sub-
18 contract is required to comply with a different per-
19 centage than those prescribed under this subsection,
20 the Secretary shall notify the congressional defense
21 committees not later than 30 days after such direc-
22 tion is issued, along with a rationale for the changed
23 percentage.

24 (c) REMEDIATION.—In the event that a contractor or
25 subcontractor is unable to complete the certification re-

1 quired under subsection (a), the Secretary may accept cov-
2 ered printed circuit boards from the contractor or subcon-
3 tractor for an appropriate time period, not to exceed 18
4 months over a five-year period, while requiring the con-
5 tractor to complete a remediation plan. Such a plan shall
6 be submitted to the congressional defense committees and
7 shall require the contractor or subcontractor to—

8 (1) audit its supply chain to identify any areas
9 of security vulnerability and compliance with section
10 224 of the National Defense Authorization Act for
11 Fiscal Year 2020 (Public Law 119–92); and

12 (2) meet the requirements of subsection (a)
13 within in an expedited fashion after the initial
14 missed certification deadline to address national se-
15 curity threats.

16 (d) WAIVER.—A contractor may request that the Sec-
17 retary of Defense waive the requirement for certification,
18 and the Secretary may grant such a waiver, if the Sec-
19 retary has conclusively determined that—

20 (1) there are no significant national security
21 concerns regarding counterfeiting, quality, or unau-
22 thorized access created by any covered printed cir-
23 cuit boards provided to the Department of Defense
24 by the contractor in the fiscal year under the certifi-
25 cation requirement or the previous fiscal year;

1 (2) the contractor is otherwise in compliance
2 with all relevant cybersecurity provisions relating to
3 members of the defense industrial base, including
4 section 244 of the National Defense Authorization
5 Act for Fiscal Year 2020; and

6 (3) the waiver is required to support national
7 security needs, particularly with respect to acquisi-
8 tions of commercial items.

9 (e) AVAILABILITY AND COST EXCEPTIONS.—Sub-
10 section (a) shall not apply to the extent that the Secretary
11 of Defense or the Secretary of the military department
12 concerned determines that covered printed circuit boards
13 of satisfactory quality and sufficient quantity, in the re-
14 quired form, cannot be procured as and when needed from
15 covered nations at reasonable cost, excluding comparisons
16 with non-market economies, or in time to meet an oper-
17 ational requirement.

18 (f) DEFINITIONS.—In this section—

19 (1) the term “covered printed circuit board”
20 means any printed circuit board that is a—

21 (A) noncommercial item; or

22 (B) commercial or commercially available
23 off-the-shelf item that transmits or stores na-
24 tional security sensitive information for—

25 (i) telecommunications;

- 1 (ii) data communications;
2 (iii) data storage;
3 (iv) medical applications;
4 (v) networking;
5 (vi) fifth-generation cellular commu-
6 nications;
7 (vii) computing;
8 (viii) radar;
9 (ix) munitions; or
10 (x) any other system that the Sec-
11 retary of Defense determines should be
12 covered under this section; and
- 13 (2) the term “covered nation” means—
- 14 (A) the United States;
- 15 (B) a member nation of the national tech-
16 nology and industrial base under section 2500
17 of title 10, United States Code; or
- 18 (C) a nation that has agreed, in compli-
19 ance with section 36 of the Arms Export Con-
20 trol Act (22 U.S.C. 2776) and section 2457 of
21 title 10, United States Code—
- 22 (i) to comply with agreements with
23 foreign governments requiring the United
24 States to purchase supplies from foreign
25 sources for the purposes of offsetting sales

1 made by the United States Government or
2 United States firms under approved pro-
3 grams serving defense requirements; or

4 (ii) along with the United States Gov-
5 ernment, to remove barriers to purchases
6 of supplies produced in the other country
7 or services performed by sources of the
8 other country; or

9 (D) any country, other than the People's
10 Republic of China, the Russian Federation,
11 Iran, or the Democratic People's Republic of
12 Korea, that the Secretary designates, upon a
13 determination to be published in the Federal
14 Register, that accepting covered printed circuit
15 boards from which—

16 (i) is in the national security interests
17 of the United States; and

18 (ii) does not pose a significant risk to
19 national security systems.

20 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion shall be construed to prohibit the Department of De-
22 fense from entering into a contract with an entity that
23 connects to the facilities of a third party, for the purposes
24 of backhaul, roaming, or interconnection arrangements, on

1 the basis of the third party's noncompliance with the pro-
2 visions of this section.

3 **SEC. 809. STATEMENT OF POLICY WITH RESPECT TO SUP-**
4 **PLY OF STRATEGIC MINERALS AND METALS**
5 **FOR DEPARTMENT OF DEFENSE PURPOSES.**

6 (a) STATEMENT OF POLICY.—It is the policy of the
7 United States that the Department of Defense shall pur-
8 sue the following goals:

9 (1) Ensure, by 2030, secure sources of supply
10 of strategic minerals and metals that will—

11 (A) fully meet the demands of the domestic
12 defense industrial base;

13 (B) eliminate the dependence of the United
14 States on unsecure sources of supply of stra-
15 tegic minerals and metals; and

16 (C) ensure that the Department of Defense
17 is not reliant upon unsecure sources of supply
18 for the processing or manufacturing of any
19 strategic mineral and metal deemed essential to
20 national security by the Secretary of Defense.

21 (2) Provide incentives for the defense industrial
22 base to develop robust processing and manufacturing
23 capabilities in the United States to refine strategic
24 minerals and metals for Department of Defense pur-
25 poses.

1 and critical minerals and metals and vulnerabilities in sup-
2 ply chains of such minerals and metals.

3 (b) STRATEGIC AND CRITICAL MINERALS AND MET-
4 ALS.—For purposes of this section, strategic and critical
5 minerals and metals are minerals and metals, including
6 rare earth elements, that are necessary to meet national
7 defense and national security requirements, including sup-
8 ply chain resiliency, and for the economic security of the
9 United States.

10 (c) ELEMENTS.—The study required for purposes of
11 the report under subsection (a) shall do the following:

12 (1) Identify the strategic and critical minerals
13 and metals that are currently utilized by the Depart-
14 ment of Defense.

15 (2) To the extent practicable, identify the over-
16 all annual tonnage of each strategic or critical min-
17 eral or metal identified pursuant to paragraph (1)
18 that was utilized by the Department during the 10-
19 year period ending on December 31, 2020.

20 (3) Identify domestic and international sources
21 for the strategic and critical minerals and metals
22 identified pursuant to paragraph (1).

23 (4) Identify risks to access to the strategic and
24 critical minerals and metals identified pursuant to

1 paragraph (1) from supply chain disruptions due to
2 geopolitical, economic, and other vulnerabilities.

3 (5) Evaluate the benefits of a robust domestic
4 supply chain for providing strategic and critical min-
5 erals and metals to Department manufacturing sup-
6 ply chains in real time.

7 (6) Evaluate the effects of the use of waivers by
8 the Department of Defense Strategic Materials Pro-
9 tection Board on the domestic supply of strategic
10 and critical minerals and metals.

11 (7) Recommend policies and procedures for the
12 Department to ensure a capability to secure stra-
13 tegic and critical minerals and metals necessary for
14 emerging technologies such as anti-microbial prod-
15 ucts, minerals, and metals for use in medical equip-
16 ment among other technologies.

17 (8) Identify improvements required to the Na-
18 tional Defense Stockpile in order to ensure the De-
19 partment has access to the strategic and critical
20 minerals and metals identified pursuant to para-
21 graph (1).

22 (9) Evaluate the domestic processing and man-
23 ufacturing capacity needed to supply the Depart-
24 ment with the strategic and critical minerals and

1 metals identified pursuant to paragraph (1) in an
2 economic and secure manner.

3 (10) In consultation with the United States Ge-
4 ological Survey, identify domestic locations already
5 verified to contain large supplies of strategic and
6 critical minerals and metals identified pursuant to
7 paragraph (1) with existing commercial manufac-
8 turing interest.

9 (11) Address any other matter relating to stra-
10 tegic and critical minerals and metals that the Sec-
11 retary considers appropriate.

12 (d) FORM.—The report required by subsection (a)
13 shall be submitted in unclassified form, but may include
14 a classified annex.

15 **SEC. 811. STABILIZATION OF SHIPBUILDING INDUSTRIAL**
16 **BASE WORKFORCE.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the Department of the Navy must explore and
19 identify solutions, in consultation with the Department of
20 Labor, to enhance shipbuilding workforce stability and en-
21 sure industry preparedness to construct the 355-ship fleet.

22 (b) WORKING GROUP TO STABILIZE SHIPBUILDING
23 INDUSTRIAL BASE WORKFORCE.—

24 (1) IN GENERAL.—The Secretary of the Navy
25 shall form a working group with the Secretary of

1 Labor for the purpose of enhancing integration of
2 programs, resources, and expertise to strengthen the
3 shipbuilding industrial base, as well as to provide
4 recommendations to Congress, to better stabilize the
5 shipbuilding industrial base workforce and determine
6 appropriate solutions for workforce fluctuations.

7 (2) DUTIES.—The working group shall carry
8 out the following activities related to the ongoing
9 challenges with workforce stability:

10 (A) Analyze existing Department of the
11 Navy contracts with the shipbuilding industry
12 and other relevant information to better antici-
13 pate future employment trends and tailor work-
14 force resources and opportunities for workers
15 most vulnerable to upcoming workforce fluctua-
16 tions.

17 (B) Identify existing Department of Labor
18 programs for unemployed, underemployed, and
19 furloughed employees that could benefit the
20 shipbuilding industrial base workforce during
21 times of workload fluctuations and workforce
22 instability, and explore potential partnerships to
23 connect employees with appropriate resources.

24 (C) Explore possible cost sharing agree-
25 ments to enable the Department of the Navy to

1 contribute funding to existing Department of
2 Labor workforce programs to support the ship-
3 building workforce.

4 (D) Examine possible programs that will
5 specifically assist furloughed employees who
6 may sporadically rely on unemployment bene-
7 fits.

8 (E) Explore opportunities for unemployed,
9 underemployed, or furloughed employees to pro-
10 vide workforce training through temporary
11 partnerships with States, technical schools,
12 community colleges, and other local workforce
13 development opportunities.

14 (F) Review existing training programs for
15 the shipbuilding workforce to maximize relevant
16 and necessary training opportunities that would
17 broaden employee skillset during times of un-
18 employment, underemployment, or furlough,
19 where applicable.

20 (G) Assess the possibility of shipbuilding
21 worker support programs to weather a period of
22 unemployment, underemployment, or furlough,
23 including compensation options, alternative em-
24 ployment, temporary stipends, or other worker
25 support opportunities.

1 (H) Study cross-State credentialing re-
2 quirements and identify any restrictions that in-
3 hibit the flexibility of the shipbuilding workforce
4 to seek employment opportunities across State
5 lines, and make recommendations to streamline
6 licensing, credentialing, certification, and quali-
7 fication requirements within the shipbuilding in-
8 dustry.

9 (I) Review additional or new contracting
10 authorities that could enable the Department of
11 the Navy to award short-term, flexible contracts
12 that will prioritize work for unemployed, under-
13 employed, or furloughed employees within the
14 shipbuilding workforce.

15 (J) Identify specific workforce support pro-
16 grams to support suppliers of all sizes within
17 the shipbuilding industrial base, and assess any
18 additional support from prime contractors that
19 would improve the stability of such suppliers.

20 (K) Assess whether greater collaboration
21 with the United States Coast Guard and its
22 shipbuilding contractors and subcontractors
23 would improve workforce stability by assessing
24 a totality of shipbuilding demands.

1 (L) Consider potential pilot programs that
2 will specifically address shipbuilding industrial
3 base workforce stability.

4 (M) Explore any additional opportunities
5 to invest in recruiting, retaining, and training a
6 skilled shipbuilding workforce.

7 (N) Consider and incorporate the findings
8 and recommendations, as appropriate, of the re-
9 port on shipbuilder training and the defense in-
10 dustrial base required under section 1037 of the
11 National Defense Authorization Act for Fiscal
12 Year 2020 (Public Law 116–92).

13 (3) NOTIFICATION REQUIREMENT REGARDING
14 ESTABLISHMENT AND STRUCTURE.—Not later than
15 90 days after the date of the enactment of this Act,
16 the Secretary of the Navy, in coordination with the
17 Secretary of Labor, shall notify the congressional de-
18 fense committees regarding the membership and
19 structure of the working group.

20 (4) REPORT.—Not later than one year after the
21 date of the enactment of this Act, the Secretary of
22 the Navy, in consultation with the Secretary of
23 Labor, shall submit to the congressional defense
24 committees, the Committee on Health, Education,
25 Labor, and Pensions of the Senate, and the Com-

1 mittee on Education and Labor of the House of
2 Representatives a report with the findings and rec-
3 ommendations of the working group.

4 **SEC. 812. MISCELLANEOUS LIMITATIONS ON THE PRO-**
5 **CUREMENT OF GOODS OTHER THAN UNITED**
6 **STATES GOODS.**

7 Section 2534 of title 10, United States Code, is
8 amended—

9 (1) in subsection (a)—

10 (A) by striking paragraphs (2) through
11 (5);

12 (B) by inserting after paragraph (1) the
13 following new paragraph:

14 “(2) COMPONENTS FOR NAVAL VESSELS.—

15 “(A) Vessel propellers with a diameter of
16 six feet or more.

17 “(B) The following components of vessels,
18 to the extent they are unique to marine applica-
19 tions: gyrocompasses, electronic navigation
20 chart systems, steering controls, propulsion and
21 machinery control systems, and totally enclosed
22 lifeboats.”;

23 (C) by redesignating paragraph (6) as
24 paragraph (3); and

1 (D) in paragraph (3), as redesignated by
2 subparagraph (C), by striking “(k)” and insert-
3 ing “(j)”;

4 (2) in subsection (b)—

5 (A) by striking paragraph (2) and redesign-
6 ating paragraph (3) as paragraph (2); and

7 (B) in paragraph (2), as redesignated by
8 subparagraph (A), by striking “subsection
9 (a)(3)(A)(iii)” and inserting “subsection
10 (a)(2)(A)”;

11 (3) in subsection (c)—

12 (A) by striking “ITEMS.” and all that fol-
13 lows through “Subsection (a) does not apply”
14 in paragraph (1) and inserting “ITEMS.—Sub-
15 section (a) does not apply”; and

16 (B) by striking paragraphs (2) through (5);
17 (4) in subsection (g)—

18 (A) by striking “(1) This section” and in-
19 serting “This section”; and

20 (B) by striking paragraph (2);

21 (5) in subsection (h), by striking “subsection
22 (a)(3)(B)” and inserting “subsection (a)(2)(B)”;

23 (6) in subsection (i)(3), by striking “Acquisi-
24 tion, Technology, and Logistics” and inserting “Ac-
25 quisition and Sustainment”;

1 (7) by striking subsection (j); and

2 (8) by redesignating the first subsection des-
3 ignated subsection (k) as subsection (j).

4 **SEC. 813. USE OF DOMESTICALLY SOURCED STAR TRACK-**
5 **ERS IN NATIONAL SECURITY SATELLITES.**

6 (a) IN GENERAL.— Except as provided in subsection
7 (a), any acquisition executive of the Department of De-
8 fense who approves a contract for a national security sat-
9 ellite after October 1, 2021, shall require any star tracker
10 system included in the design of such national security
11 satellite to be domestically sourced.

12 (b) EXCEPTIONS.— The application of subsection (a)
13 may be waived if the acquisition executive certifies in writ-
14 ing that—

15 (1) there is no available domestically sourced
16 star tracker system that meets the national security
17 satellite systems mission and design requirements;

18 (2) the cost of the available domestically
19 sourced star tracker system is unreasonably priced
20 based on a market survey; or

21 (3) an urgent and compelling national security
22 need exists to necessitate a foreign-made star track-
23 er.

24 (c) NATIONAL SECURITY SATELLITE DEFINED.— In
25 this section, “national security satellite” is a satellite the

1 principle purpose of which is to support the national secu-
2 rity needs of the United States Government.

3 **SEC. 814. MODIFICATION TO SMALL PURCHASE THRESH-**
4 **OLD EXCEPTION TO SOURCING REQUIRE-**
5 **MENTS FOR CERTAIN ARTICLES.**

6 Subsection (h) of section 2533a of title 10, United
7 States Code, is amended to read as follows:

8 “(h) EXCEPTION FOR SMALL PURCHASES.—Sub-
9 section (a) does not apply to purchases for amounts not
10 greater than \$150,000. A proposed purchase or contract
11 for an amount greater than \$150,000 may not be divided
12 into several purchases or contracts for lesser amounts in
13 order to qualify for this exception. On October 1 of each
14 year evenly divisible by 5, the Secretary of Defense may
15 adjust the dollar threshold in this subsection based on
16 changes in the Consumer Price Index. The Secretary shall
17 publish notice of any such adjustment in the Federal Reg-
18 ister, and the new price threshold shall take effect on the
19 date of publication.”.

1 **Subtitle B—Acquisition Policy and**
2 **Management**

3 **SEC. 831. REPORT ON ACQUISITION RISK ASSESSMENT AND**
4 **MITIGATION AS PART OF ADAPTIVE ACQUI-**
5 **SITION FRAMEWORK IMPLEMENTATION.**

6 (a) SERVICE ACQUISITION EXECUTIVES INPUT.—
7 The Service Acquisition Executives shall report to the Sec-
8 retary of Defense, the Under Secretary of Defense for Ac-
9 quisition and Sustainment, the Under Secretary of De-
10 fense for Research and Engineering, and the Chief Infor-
11 mation Officer of the Department of Defense how they
12 are assessing, mitigating, and reporting on the following
13 risks in acquisition programs:

14 (1) Technical risks in engineering, software,
15 manufacturing and testing.

16 (2) Integration and interoperability risks, in-
17 cluding complications related to systems working
18 across multiple domains while using machine learn-
19 ing and artificial intelligence capabilities to continu-
20 ously change and optimize system performance.

21 (3) Operations and sustainment risks, including
22 as mediated by access to technical data and intellec-
23 tual property rights.

1 (4) Workforce and training risks, including con-
2 sideration of the role of contractors as part of the
3 total workforce.

4 (5) Supply chain risks, including cybersecurity,
5 foreign control and ownership of key elements of
6 supply chains, and the consequences a fragile and
7 weakening defense industrial base, combined with
8 barriers to industrial cooperation with allies and
9 partners pose for delivering systems and technologies
10 in a trusted and assured manner.

11 (b) REPORT TO CONGRESS.—Not later than March
12 31, 2021, the Under Secretary of Defense for Acquisition
13 and Sustainment shall submit to the congressional defense
14 committees a report including—

15 (1) the input received from the Service Acquisi-
16 tion Executives pursuant to subsection (a); and

17 (2) the views of the Under Secretary with re-
18 spect to the matters described in paragraphs (1)
19 through (5) of such subsection.

20 **SEC. 832. COMPTROLLER GENERAL REPORT ON IMPLE-**
21 **MENTATION OF SOFTWARE ACQUISITION RE-**
22 **FORMS.**

23 (a) IN GENERAL.—Not later than March 15, 2021,
24 the Comptroller General of the United States shall brief
25 the congressional defense committees on the implementa-

1 tion by the Department of Defense of required acquisition
2 reforms with respect to acquiring software for weapon sys-
3 tems, business systems, and other activities that are part
4 of the defense acquisition system, with a report, or re-
5 ports, to follow as agreed upon by the committees and the
6 Comptroller General.

7 (b) ELEMENTS.—The briefing and report, or reports,
8 required under subsection (a) shall include an assessment
9 of the extent to which the Department of Defense has im-
10 plemented requirements related to the following:

11 (1) Software acquisition studies and their im-
12 plementation, including pursuant to section 872 of
13 the National Defense Authorization Act for Fiscal
14 Year 2018 (Public Law 115–91; Defense Innovation
15 Board analysis of software acquisition regulations),
16 section 868 of the John S. McCain National Defense
17 Authorization Act for Fiscal Year 2019 (Public Law
18 115–232; implementation of recommendations of the
19 final report of the Defense Science Board Task
20 Force on the Design and Acquisition of Software for
21 Defense Systems).

22 (2) Software acquisition activities pursuant to
23 section 2322a of title 10, United States Code (re-
24 lated to consideration of certain matters during the
25 acquisition of noncommercial computer software),

1 section 875 of the National Defense Authorization
2 Act for Fiscal Year 2018 (Public Law 115–91; pilot
3 program for open source software), and section 800
4 of the National Defense Authorization Act for Fiscal
5 Year 2020 (Public Law 116–92, related to contin-
6 uous integration and delivery of software applica-
7 tions and upgrades to embedded systems).

8 (3) Software acquisition pilots, including the
9 pilot program pursuant to section 873 of the Na-
10 tional Defense Authorization Act for Fiscal Year
11 2018 (Public Law 115–91; relating to the use of
12 agile or iterative development methods to tailor
13 major software-intensive warfighting systems and
14 defense business systems) and the pilot program
15 pursuant to section 874 of such Act (relating to
16 using agile best practices for software development).

17 (c) ASSESSMENT OF ACQUISITION POLICY, GUID-
18 ANCE, AND PRACTICES.—Each report under subsection
19 (a) should include an assessment of the extent to which
20 Department of Defense software acquisition policy, guid-
21 ance, and practices reflect implementation of relevant rec-
22 ommendations from related studies, pilot programs, and
23 directives from the congressional defense committees.

24 (d) MODIFICATION OF REQUIREMENTS FOR COMP-
25 TROLLER GENERAL ASSESSMENT OF ACQUISITION PRO-

1 GRAMS AND INITIATIVES.—Section 2229b(b)(2) of title
 2 10, United States Code, is amended by striking “a sum-
 3 mary of organizational and legislative changes and emerg-
 4 ing assessment methodologies since the last assessment,
 5 and a discussion of the implications” and inserting “a dis-
 6 cussion of selected organizational, policy, and legislative
 7 changes, as determined appropriate by the Comptroller
 8 General, and the potential implications”.

9 (e) DEFENSE ACQUISITION SYSTEM DEFINED.—In
 10 this section, the term “defense acquisition system” has the
 11 meaning given that term in section 2545(2) of title 10,
 12 United States Code.

13 **Subtitle C—Amendments to Gen-**
 14 **eral Contracting Authorities,**
 15 **Procedures, and Limitations**

16 **SEC. 841. AUTHORITY TO ACQUIRE INNOVATIVE COMMER-**
 17 **CIAL PRODUCTS AND SERVICES USING GEN-**
 18 **ERAL SOLICITATION COMPETITIVE PROCE-**
 19 **DURES.**

20 (a) AUTHORITY.—

21 (1) IN GENERAL.—Chapter 140 of title 10,
 22 United States Code, is amended by adding at the
 23 end the following new section:

1 **“§ 2380c. Authority to acquire innovative commercial**
2 **products and services using general solic-**
3 **itation competitive procedures**

4 “(a) **AUTHORITY.**—The Secretary of Defense may ac-
5 quire innovative commercial products and services through
6 a competitive selection of proposals resulting from a gen-
7 eral solicitation and the peer review of such proposals.

8 “(b) **TREATMENT AS COMPETITIVE PROCEDURES.**—
9 Use of general solicitation competitive procedures under
10 subsection (a) shall be considered to be use of competitive
11 procedures for purposes of chapter 137 of this title.

12 “(c) **LIMITATIONS.**—(1) The Secretary may not enter
13 into a contract or agreement in excess of \$100,000,000
14 using the authority under subsection (a) without a written
15 determination from the Under Secretary of Defense for
16 Acquisition and Sustainment or the relevant service acqui-
17 sition executive of the efficacy of the effort to meet mission
18 needs of the Department of Defense or the relevant mili-
19 tary department.

20 “(2) Contracts or agreements entered into using the
21 authority under subsection (a) shall be fixed-price, includ-
22 ing fixed-price incentive fee contracts.

23 “(3) Notwithstanding section 2376(1) of this title,
24 products and services acquired using the authority under
25 subsection (a) shall be treated as commercial products and
26 services.

1 “(d) CONGRESSIONAL NOTIFICATION REQUIRED.—

2 (1) Not later than 45 days after the award of a contract
3 for an amount exceeding \$100,000,000 using the author-
4 ity in subsection (a), the Secretary of Defense shall notify
5 the congressional defense committees of such award.

6 “(2) Notice of an award under paragraph (1) shall
7 include the following:

8 “(A) Description of the innovative commercial
9 product or service acquired.

10 “(B) Description of the requirement, capability
11 gap, or potential technological advancement with re-
12 spect to which the innovative commercial product or
13 service acquired provides a solution or a potential
14 new capability.

15 “(C) Amount of the contract awarded.

16 “(D) Identification of contractor awarded the
17 contract.

18 “(e) INNOVATIVE DEFINED.—. In this section, the
19 term ‘innovative’ means—

20 “(1) any technology, process, or method, includ-
21 ing research and development, that is new as of the
22 date of submission of a proposal; or

23 “(2) any application that is new as of the date
24 of submission of a proposal of a technology, process,
25 or method existing as of such date.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
 2 tions at the beginning of chapter 140 of title 10,
 3 United States Code, is amended by inserting after
 4 the item relating to section 2380b the following new
 5 item:

“2380e. Authority to acquire innovative commercial products and services using
 general solicitation competitive procedures.”.

6 (b) REPEAL OF OBSOLETE AUTHORITY.—Section
 7 879 of the National Defense Authorization Act for Fiscal
 8 Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note)
 9 is hereby repealed.

10 **SEC. 842. TRUTH IN NEGOTIATIONS ACT THRESHOLD FOR**
 11 **DEPARTMENT OF DEFENSE CONTRACTS.**

12 Section 2306a(a)(1) of title 10, United States Code,
 13 is amended—

14 (1) in subparagraph (B), by striking “contract
 15 if” and all that follows through clause (iii) and in-
 16 serting “contract if the price adjustment is expected
 17 to exceed \$2,000,000.”;

18 (2) in subparagraph (C), by striking “section
 19 and—” and all that follows through clause (iii) and
 20 inserting “section and the price of the subcontract
 21 is expected to exceed \$2,000,000.”; and

22 (3) in subparagraph (D), by striking “sub-
 23 contract if—” and all that follows through clause

1 (ii) and inserting “subcontract if the price adjust-
2 ment is expected to exceed \$2,000,000.”.

3 **SEC. 843. REVISION OF PROOF REQUIRED WHEN USING AN**
4 **EVALUATION FACTOR FOR DEFENSE CON-**
5 **TRACTORS EMPLOYING OR SUBCON-**
6 **TRACTING WITH MEMBERS OF THE SE-**
7 **LECTED RESERVE OF THE RESERVE COMPO-**
8 **NENTS OF THE ARMED FORCES.**

9 Section 819 of the National Defense Authorization
10 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
11 3385; 10 U.S.C. 2305 note) is amended—

12 (1) by striking subsection (b); and

13 (2) by redesignating subsection (c) as sub-
14 section (b).

15 **SEC. 844. CONTRACT AUTHORITY FOR ADVANCED DEVEL-**
16 **OPMENT OF INITIAL OR ADDITIONAL PROTO-**
17 **TYPE UNITS.**

18 (a) IN GENERAL.—Section 2302e of title 10, United
19 States Code, is amended—

20 (1) in the heading, by striking “**advanced**
21 **development**” and inserting “**development**
22 **and demonstration**”; and

23 (2) in subsection (a)(1), by striking “provision
24 of advanced component development, prototype,”
25 and inserting “development and demonstration”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of chapter 137 of title 10, United States
 3 Code, is amended by striking the item relating to section
 4 2302e and inserting the following new item:

“2302e. Contract authority for development and demonstration of initial or additional prototype units.”.

5 **SEC. 845. DEFINITION OF BUSINESS SYSTEM DEFICIENCIES**
 6 **FOR CONTRACTOR BUSINESS SYSTEMS.**

7 Section 893 of the Ike Skelton National Defense Au-
 8 thorization Act for Fiscal Year 2011 (Public Law 111-
 9 383; 10 U.S.C. 2302 note) is amended—

10 (1) by striking “significant deficiencies” both
 11 places it appears and inserting “material weak-
 12 nesses”;

13 (2) by striking “significant deficiency” each
 14 place it appears and inserting “material weakness”;
 15 and

16 (3) by amending paragraph (4) of subsection
 17 (g) to read as follows:

18 “(4) The term ‘material weakness’ means a de-
 19 ficiency, or combination of deficiencies, in internal
 20 control over risks related to Government contract
 21 compliance or other shortcomings in the system,
 22 such that there is a reasonable possibility that a ma-
 23 terial noncompliance will not be prevented, or de-
 24 tected and corrected, on a timely basis. A reasonable

1 possibility exists when the likelihood of an event oc-
 2 ccurring is either reasonably possible, meaning the
 3 chance of the future event occurring is more than
 4 remote but less than likely, or is probable.”.

5 **SEC. 846. REPEAL OF PILOT PROGRAM ON PAYMENT OF**
 6 **COSTS FOR DENIED GOVERNMENT ACCOUNT-**
 7 **ABILITY OFFICE BID PROTESTS.**

8 Section 827 of the National Defense Authorization
 9 Act for Fiscal Year 2018 (Public Law 115–91) is re-
 10 pealed.

11 **Subtitle D—Provisions Relating to**
 12 **Major Defense Acquisition Pro-**
 13 **grams**

14 **SEC. 861. IMPLEMENTATION OF MODULAR OPEN SYSTEMS**
 15 **ARCHITECTURE REQUIREMENTS.**

16 (a) REQUIREMENTS FOR INTERFACE DELIVERY.—

17 (1) IN GENERAL.—Not later than one year
 18 after the date of the enactment of this Act, the
 19 Under Secretary of Defense for Acquisition and
 20 Sustainment, in coordination with the Joint All Do-
 21 main Command and Control Cross Functional Team
 22 under the supervision of the Department of Defense
 23 Chief Information Officer and the Joint Staff Direc-
 24 tor for Command, Control, Communications, and
 25 Computers/Cyber, shall prescribe regulations and

1 issue guidance to the military services, defense agen-
2 cies and field activities, and combatant commands,
3 as appropriate, in order to—

4 (A) facilitate the Department of Defense’s
5 access to and utilization of system, major sub-
6 system, and major component software-defined
7 interfaces;

8 (B) fully meet the intent of chapter 144B
9 of title 10, United States Code; and

10 (C) advance the Department’s efforts to
11 generate diverse and recomposable kill chains.

12 (2) ELEMENTS.—The regulations and guidance
13 required in subsection (a)(1) shall include, at a min-
14 imum—

15 (A) requirements that each relevant pro-
16 gram office characterizes the desired modularity
17 of the system for which it is responsible, either,
18 in the case of major defense acquisition pro-
19 grams, in the acquisition strategy required
20 under section 2431a of title 10, United States
21 Code, or, in the case of other programs, via
22 other documentation, including—

23 (i) specification of which system,
24 major subsystems, and major components
25 should be able to execute without requiring

- 1 coincident execution of other systems,
2 major subsystems, and major components;
- 3 (ii) a default configuration specifying
4 which systems, major subsystems, and
5 major components should communicate
6 with other systems, major subsystems, and
7 major components; and
- 8 (iii) specification of what information
9 should be communicated, the method of
10 the communication, and the desired func-
11 tion of the communication;
- 12 (B) requirements that relevant Depart-
13 ment of Defense contracts include mandates for
14 the delivery of system, major subsystem, and
15 major component software-defined interfaces
16 for systems, major subsystems, and major com-
17 ponents deemed relevant in the acquisition
18 strategy or documentation referred to in sub-
19 section (a)(2)(a), including—
- 20 (i) software-defined interface syntax
21 and properties, specifically governing how
22 values are validly passed and received be-
23 tween major subsystems and components,
24 in machine-readable format;

1 (ii) a machine-readable definition of
2 the relationship between the delivered
3 interface and existing common standards
4 or interfaces available in the interface re-
5 pository of subsection (c), if appropriate
6 and available, using interface field trans-
7 form technology developed under the De-
8 fense Advanced Research Projects Agency
9 System of Systems Technology Integration
10 Tool Chain for Heterogeneous Electronic
11 Systems (STITCHES) program or tech-
12 nology that is functionally similar; and

13 (iii) documentation with functional de-
14 scriptions of software-defined interfaces,
15 conveying semantic meaning of interface
16 elements, such as the function of a given
17 interface field;

18 (C) requirements that relevant program of-
19 fices, including those responsible for maintain-
20 ing and upgrading legacy systems, that have
21 awarded contracts that do not include the re-
22 quirements specified in subparagraph (B) of
23 paragraph (2) nevertheless acquire the items
24 specified in clauses (i) through (iii) of such sub-
25 paragraph, either through contractual updates,

1 separate negotiations or contracts, or program
2 management mechanisms; and

3 (D) requirements that program offices de-
4 liver these interfaces and the associated docu-
5 mentation to the controlled repository estab-
6 lished under subsection (c).

7 (3) APPLICABILITY OF REGULATIONS AND
8 GUIDANCE.—

9 (A) APPLICABILITY.—The regulations and
10 guidance required under subsection (a)(1) shall
11 apply, at a minimum, to program offices re-
12 sponsible for the prototyping, acquisition, or
13 sustainment of new or existing cyber-physical
14 weapon systems with software-defined inter-
15 faces, or with major subsystems or components
16 with software-defined interfaces, developed or to
17 be developed, wholly or in part with Federal
18 funds, including those applicable program of-
19 fices using other transaction authorities (OTA).

20 (B) EXTENSION OF SCOPE.—One year
21 after the promulgation of the regulations and
22 guidance required under subsection (a)(1) for
23 cyber-physical systems, the Under Secretary of
24 Defense for Acquisition and Sustainment shall
25 extend the regulations and guidance to apply to

1 purely software systems, including business sys-
2 tems and cybersecurity systems. The Secretary
3 may make the regulations and guidance appli-
4 cable, as practicable, to program offices respon-
5 sible for the acquisition of systems and capabili-
6 ties under part 12 of the Federal Acquisition
7 Regulation and commercially available off the-
8 the-shelf items.

9 (C) INCLUSION OF SUBSYSTEMS AND COM-
10 PONENTS.—The major subsystems and compo-
11 nents covered under paragraph (2)(A) shall in-
12 clude all subsystems and components covered by
13 contract line items.

14 (b) RIGHTS IN INTERFACE SOFTWARE.—

15 (1) REGULATIONS.—Not later than one year
16 after the date of the enactment of this Act, the
17 Under Secretary of Defense for Acquisition and
18 Sustainment shall prescribe regulations to define the
19 legitimate interest of the United States and of a
20 contractor or subcontractor in interface software.
21 The regulations shall be included in regulations of
22 the Department of Defense prescribed as part of the
23 Defense Supplement to the Federal Acquisition Reg-
24 ulation.

1 (2) LIMITATION ON REGULATIONS.—The regu-
2 lations prescribed pursuant to paragraph (1) may
3 not—

4 (A) impair any right of the United States
5 or of any contractor or subcontractor with re-
6 spect to patents or copyrights or any other
7 right in software otherwise established by law;
8 or

9 (B) impair the right of a contractor or
10 subcontractor to receive from a third party a
11 fee or royalty for the use of software pertaining
12 to an item or process developed exclusively at
13 private expense by the contractor or subcon-
14 tractor, except as otherwise specifically provided
15 by law.

16 (3) ELEMENTS.—Such regulations shall include
17 the following provisions:

18 (A) In the case of a software interface that
19 is developed by a contractor or subcontractor
20 exclusively with Federal funds (other than an
21 item developed under a contract or subcontract
22 to which regulations under section 9(j)(2) of
23 the Small Business Act (15 U.S.C. 638(j)(2))
24 apply), the United States shall have the unlim-
25 ited and non-expiring right to use the software

1 or release or disclose the software to persons
2 outside the government or permit the use of the
3 software by such persons.

4 (B) In the case of a software interface that
5 is developed in part with Federal funds and in
6 part at private expense and except in any case
7 in which the Secretary of Defense determines
8 that negotiation of different rights in such soft-
9 ware would be in the best interest of the United
10 States, the Government—

11 (i) shall have Government-purpose
12 rights to the software interface, and, in ad-
13 dition, may release or disclose the software
14 interface, or authorize others to do so, if—

15 (I) prior to release or disclosure,
16 the intended recipient is subject to an
17 exclusive for-Government-use and
18 non-disclosure agreement;

19 (II) the intended recipient is a
20 Government contractor receiving ac-
21 cess to the interface for the perform-
22 ance of a Government contract; and

23 (III) the intended use is for the
24 purpose of system, major subsystem,
25 and major component segregation,

1 interoperability, integration, or re-
2 integration; and

3 (ii) may not use, or authorize other
4 persons to use, interface software for com-
5 mercial purposes.

6 (C) In the case of a software interface that
7 is developed exclusively at private expense, the
8 Government shall negotiate with the contractor
9 or the subcontractor to best achieve, if prac-
10 tical, Government-purpose rights to the soft-
11 ware interface and rights to release or disclose
12 the software interface, or authorize others to do
13 so, if—

14 (i) prior to release or disclosure, the
15 intended recipient is subject to an exclusive
16 for-Government use and non-disclosure
17 agreement;

18 (ii) the intended recipient is a Govern-
19 ment contractor receiving access to the
20 interface for the performance of a Govern-
21 ment contract; and

22 (iii) the intended use is for the pur-
23 pose of system, major subsystem, and
24 major component segregation, interoper-
25 ability, integration and reintegration.

1 (c) INTERFACE REPOSITORY.—

2 (1) ESTABLISHMENT.—The Under Secretary of
3 Defense for Acquisition and Sustainment shall es-
4 tablish and maintain, at the appropriate classifica-
5 tion level, an interface repository for interfaces, syn-
6 tax and properties, documentation, and communica-
7 tion implementations delivered pursuant to the re-
8 quirements established under subsection (a)(2)(B)
9 and shall provide interfaces, access to interfaces, and
10 relevant documentation to the military services, de-
11 fense agencies and field activities, combatant com-
12 mands, and contractors, as appropriate, to facilitate
13 system, major subsystem, and major component seg-
14 regation and reintegration.

15 (2) DISTRIBUTION OF INTERFACES.—Con-
16 sistent with section 2320 of title 10, United States
17 Code, and in accordance with subsection (b), the
18 Under Secretary of Defense for Acquisition and
19 Sustainment may distribute interfaces, access to
20 interfaces, and relevant documentation to Govern-
21 ment entities and contractors. Any such protected
22 transfer or disclosure by the Government to a recipi-
23 ent is limited to only those data necessary for seg-
24 regation, interoperability, integration, or reintegra-
25 tion.

1 (d) SYSTEM OF SYSTEMS INTEGRATION TECH-
2 NOLOGY AND EXPERIMENTATION.—

3 (1) DEMONSTRATIONS AND ASSESSMENT.—No
4 later than one year after the date of the enactment
5 of this Act, the Joint Staff Director for Command,
6 Control, Communications, and Computers/Cyber and
7 Department of Defense Chief Information Officer,
8 through the Joint All Domain Command and Con-
9 trol Cross Functional Team, shall conduct dem-
10 onstrations and complete an assessment of the tech-
11 nologies developed under the Defense Advanced Re-
12 search Projects Agency's System of Systems Inte-
13 gration Technology and Experimentation program,
14 including the STITCHES technology, and their ap-
15 plicability to the Joint All-Domain Command and
16 Control architecture. The demonstrations and as-
17 sessment shall include—

18 (A) at least three demonstrations of the
19 use of the STITCHES technology to create,
20 under constrained schedules and budgets, novel
21 kill chains involving previously incompatible
22 weapon systems, sensors, and command, con-
23 trol, and communication systems from multiple
24 military services in cooperation with United

1 States Indo-Pacific Command or United States
2 European Command;

3 (B) an evaluation as to whether the com-
4 munications enabled via the STITCHES tech-
5 nology are sufficient for military missions and
6 whether the technology results in any substan-
7 tial performance loss in communication between
8 systems, major subsystems, and major compo-
9 nents;

10 (C) an evaluation as to whether the
11 STITCHES technology obviates the need to de-
12 velop, impose, and maintain strict adherence to
13 common communication and interface stand-
14 ards for Department of Defense systems;

15 (D) the appropriate roles and responsibil-
16 ities of the Department of Defense Chief Infor-
17 mation Officer, the Under Secretary of Defense
18 for Acquisition and Sustainment, the geo-
19 graphic combatant commands, the military
20 services, the Defense Advanced Research
21 Projects Agency, and the defense industrial
22 base in using and maintaining the STITCHES
23 technology to generate diverse and
24 recomposable kill chains as part of the Joint

1 All-Domain Command and Control architecture;
2 and

3 (E) coordination with the program man-
4 ager for the Time Sensitive Targeting Defeat
5 program under the Under Secretary of Defense
6 for Research and Engineering and the Under
7 Secretary of Defense for Intelligence.

8 (2) CHIEF INFORMATION OFFICER ASSESS-
9 MENT.—The Department of Defense Chief Informa-
10 tion Officer shall assess the technologies developed
11 under the Defense Advanced Research Projects
12 Agency’s System of Systems Integration Technology
13 and Experimentation program, including the
14 STITCHES interface field transform technology,
15 and their applicability to the Department’s business
16 systems and cybersecurity tools. This assessment
17 shall include—

18 (A) at least two demonstrations of the use
19 of the STITCHES technology in enabling com-
20 munication between business systems;

21 (B) in coordination with the Cross Func-
22 tional Team under the Principal Cyber Adviser
23 and the Integrated Adaptive Cyber Defense
24 program office of the National Security Agency,
25 at least two demonstrations of the use of the

1 STITCHES technology in enabling communica-
2 tion between and orchestration of previously in-
3 compatible cybersecurity tools; and

4 (C) an evaluation as to how the STITCH-
5 ES technology could be used in concert with or
6 instead of existing cybersecurity standards,
7 frameworks, and technologies designed to en-
8 able communication across cybersecurity tools.

9 (3) SUSTAINMENT OF STITCHES ENGINEERING
10 RESOURCES AND CAPABILITIES DEVELOPED BY
11 DARPA.—To conduct the demonstrations and assess-
12 ments required under this subsection and to execute
13 the Joint All Domain Command and Control pro-
14 gram, the Joint All Domain Command and Control
15 program office shall sustain the STITCHES engi-
16 neering resources and capabilities developed by the
17 Defense Advanced Research Projects Agency.

18 (e) TRANSFER OF RESPONSIBILITY FOR STITCH-
19 ES.—One year after the date of enactment of this Act,
20 the Secretary of Defense may transfer responsibility for
21 maintaining the STITCHES engineering capabilities to a
22 different organization.

23 (f) DEFINITIONS.—In this section:

24 (1) DESIRED MODULARITY.—The term “desired
25 modularity” means the desired degree to which sys-

1 tems, major constitutive subsystems and components
2 within a system, and major subsystems and compo-
3 nents across subsystems can function as modules
4 that can communicate across component boundaries
5 and through interfaces and can be separated and re-
6 combined to achieve various effects, missions, or ca-
7 pabilities.

8 (2) MACHINE-READABLE FORMAT.—The term
9 “machine-readable format” means a format that can
10 be easily processed by a computer without human
11 intervention.

12 **SEC. 862. SUSTAINMENT REVIEWS.**

13 (a) ANNUAL SUSTAINMENT REVIEWS.—Section
14 2441(a) of title 10, United States Code, is amended by
15 inserting “annually thereafter” before “throughout the life
16 cycle of the weapon system”.

17 (b) SUBMISSION TO CONGRESS OF SUSTAINMENT
18 REVIEWS.—Section 2441 of title 10, United States Code,
19 is amended by adding at the end the following new sub-
20 section:

21 “(d) SUBMISSION TO CONGRESS OF SUSTAINMENT
22 REVIEWS.—(1) The Secretary of each military department
23 shall submit no fewer than ten sustainment reviews re-
24 quired by this section to the congressional defense commit-
25 tees annually. The Secretary of each military department

1 shall select the ten reviews from among the systems with
2 the highest independent cost estimates for the remainder
3 of the life cycle of the program.

4 “(2) The Secretary shall submit the reviews required
5 under paragraph (1) to the congressional defense commit-
6 tees annually not later than 30 days after submission of
7 the President’s annual budget request to Congress under
8 section 1105 of title 31. The sustainment reviews shall be
9 posted on a publicly available website maintained by the
10 Director of the Cost Assessment and Program Evaluation
11 office and, for those systems with operating and support
12 cost growth, shall include comments from the military de-
13 partments regarding actions being taken to reduce the op-
14 erating and support costs. The reviews may include classi-
15 fied appendices, as appropriate.”.

16 (c) COMPTROLLER GENERAL STUDY.—Not later
17 than 180 days after the Secretaries of the military depart-
18 ments post the initial sustainment reviews required under
19 paragraph (1) of subsection (d) of section 2441 of title
20 10, United States Code (as added by subsection (b) of this
21 section) on a publicly available website as required under
22 paragraph (2) of such subsection (d), the Comptroller
23 General of the United States shall assess steps the mili-
24 tary departments are taking to quantify and address oper-

1 ating and support cost growth. The assessment shall in-
2 clude—

3 (1) an evaluation of—

4 (A) the causes of operating and support
5 cost growth for selected systems covered by the
6 sustainment reviews, as well as any other sys-
7 tems the Comptroller General determines ap-
8 propriate;

9 (B) the extent to which the Department
10 has mitigated operating and support cost
11 growth of these systems; and

12 (C) any other issues related to potential
13 operating and support cost growth the Comp-
14 troller General determines appropriate; and

15 (2) any recommendations of the Comptroller
16 General, including steps the military departments
17 could take to reduce operating and support cost
18 growth for fielded weapon systems, as well as lessons
19 learned to be incorporated in future weapon system
20 acquisitions.

21 **SEC. 863. RECOMMENDATIONS FOR FUTURE DIRECT SE-**
22 **LECTIONS.**

23 The Secretary of each military department shall pro-
24 vide to the congressional defense committees in the future-
25 years defense program submitted under section 221 of

1 title 10, United States Code, for fiscal year 2022 a list
2 of at least one acquisition program for which it would be
3 appropriate to have a large number of users provide direct
4 assessment of the outcome of a competitive contract
5 award.

6 **SEC. 864. DISCLOSURES FOR CERTAIN SHIPBUILDING**
7 **MAJOR DEFENSE ACQUISITION PROGRAM OF-**
8 **FERS.**

9 (a) IN GENERAL.—Chapter 137 of title 10, United
10 States Code, is amended by adding at the end the fol-
11 lowing new section:

12 **“§ 2339c. Disclosures for certain shipbuilding major**
13 **defense acquisition program offers**

14 “(a) GENERAL.—Any covered offeror seeking to be
15 awarded a shipbuilding construction contract as part of
16 a major defense acquisition program with funds from the
17 Shipbuilding and Conversion, Navy account shall disclose
18 with its offer and any subsequent offer revisions, including
19 the final proposal revision offer, whether any part of the
20 offeror’s planned contract performance will or is expected
21 to include foreign government subsidized performance, fi-
22 nancing, financial guarantees, or tax concessions.

23 “(b) DISCLOSURE.—An offeror shall make a disclo-
24 sure required under subsection (a) in a format prescribed
25 by the Secretary of the Navy and shall include therein a

1 specific description of the extent to which the offeror's
2 planned contract performance will include, with or without
3 contingencies, any foreign government subsidized perform-
4 ance, financing, financial guarantees, or tax concessions.

5 “(c) CONGRESSIONAL NOTIFICATION.—Not later
6 than 5 days after awarding a contract described under
7 subsection (a) to an offeror that made a disclosure under
8 subsection (b), the Secretary of the Navy shall notify the
9 congressional defense committees and summarize such dis-
10 closure.

11 “(d) DEFINITIONS.—In this section:

12 “(1) COVERED OFFEROR.—The term ‘covered
13 offeror’ means any offeror that currently requires or
14 may reasonably be expected to require during the
15 period of contract performance a method to mitigate
16 or negate foreign ownership under subsection (f)(6)
17 of part 2004.34 of title 32, Code of Federal Regula-
18 tions.

19 “(2) FOREIGN GOVERNMENT SUBSIDIZED PER-
20 FORMANCE.—The term ‘foreign government sub-
21 sidized performance’ means any financial support,
22 materiel, services, or guarantees of support, services,
23 supply, performance, or intellectual property conces-
24 sions, that may be provided to or for the offeror or
25 the offeror's Department of Defense customer by a

1 foreign government or entity effectively owned or
2 controlled by a foreign government, which may have
3 the effect of supplementing, supplying, servicing, or
4 reducing the cost or price of an end item, or sup-
5 porting, financing in whole or in part, or guaran-
6 teeing contract performance by the offeror.

7 “(3) MAJOR DEFENSE ACQUISITION PRO-
8 GRAM.—The term ‘major defense acquisition pro-
9 gram’ has the meaning given the term in section
10 2430 of this title.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 137 of title 10, United States
13 Code, is amended by inserting after the item relating to
14 section 2339b the following new item:

“2339c. Disclosures for certain shipbuilding major defense acquisition program
offers.”.

15 **Subtitle E—Small Business Matters**

16 **SEC. 871. PROMPT PAYMENT OF CONTRACTORS.**

17 Section 2307(a)(2) of title 10, United States Code,
18 is amended—

19 (1) in subparagraph (A), by striking “if a spe-
20 cific payment date is not established by contract”;
21 and

22 (2) in subparagraph (B), by striking “if—” and
23 all that follows through “the prime contractor

1 agrees” in clause (ii) and inserting “if the prime
2 contractor agrees or proposes”.

3 **SEC. 872. EXTENSION OF PILOT PROGRAM FOR STREAM-**
4 **LINED AWARDS FOR INNOVATIVE TECH-**
5 **NOLOGY PROGRAMS.**

6 Section 873(f) of the National Defense Authorization
7 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
8 2306a) is amended by striking “2020” and inserting
9 “2023”.

10 **SEC. 873. REPORTING REQUIREMENTS.**

11 Section 9(b) of the Small Business Act (15 U.S.C.
12 638(b)) is amended—

13 (1) in paragraph (7)—

14 (A) in subparagraph (F), by striking
15 “and” at the end;

16 (B) in subparagraph (G), by adding “and”
17 at the end; and

18 (C) by adding at the end the following:

19 “(H) with respect to a Federal agency to
20 which subsection (f)(1) or (n)(1) applies, wheth-
21 er the Federal agency has satisfied the require-
22 ment under each applicable subsection for the
23 year covered by the report;”;

24 (2) in paragraph (9), by striking “and” at the
25 end;

1 (3) in paragraph (10), by striking the period at
2 the end and inserting “; and”; and

3 (4) by adding at the end the following:

4 “(11) with respect to a Federal agency to which
5 subsection (f)(1) or (n)(1) applies and that the Ad-
6 ministration determines has not satisfied the re-
7 quirement under either applicable subsection, require
8 the head of that Federal agency to submit to the
9 Committee on Small Business and Entrepreneurship
10 of the Senate and the Committee on Small Business
11 of the House of Representatives a report regarding
12 why the Federal agency has not satisfied the re-
13 quirement.”.

14 **Subtitle F—Provisions Related to**
15 **Software-Driven Capabilities**

16 **SEC. 881. INCLUSION OF SOFTWARE IN GOVERNMENT PER-**
17 **FORMANCE OF ACQUISITION FUNCTIONS.**

18 (a) INCLUSION OF SOFTWARE.—Section 1706(a) of
19 title 10, United States Code, is amended by adding at the
20 end the following new paragraph:

21 “(14) Program lead software.”.

22 (b) TECHNICAL AMENDMENTS.—Section 1706 of
23 such title is further amended—

24 (1) in subsection (a), by striking “for each
25 major defense acquisition program and each major

1 automated information system program” and insert-
2 ing “for each acquisition program”; and

3 (2) by striking subsection (c).

4 **SEC. 882. BALANCING SECURITY AND INNOVATION IN SOFT-**
5 **WARE DEVELOPMENT AND ACQUISITION.**

6 (a) REQUIREMENTS FOR SOLICITATIONS OF COM-
7 Mercial AND DEVELOPMENTAL SOLUTIONS.—The Under
8 Secretary of Defense for Acquisition and Sustainment, in
9 coordination with the Chief Information Officer of the De-
10 partment of Defense, shall develop requirements for inclu-
11 sion in solicitations for both commercial and develop-
12 mental solutions, and for the evaluation of bids, of appro-
13 priate software security criteria, including—

14 (1) delineation of what processes were or will be
15 used for a secure software development lifecycle, in-
16 cluding management of supply chain and third-party
17 software sources and component risks; and

18 (2) an associated vulnerability management
19 plan or tools.

20 (b) SECURITY REVIEW OF CODE.—The Under Sec-
21 retary of Defense for Acquisition and Sustainment, in co-
22 ordination with the Chief Information Officer of the De-
23 partment of Defense, shall develop processes for security
24 review of code for the purpose of publication and other
25 procedures necessary to fully implement the pilot program

1 required under section 875 of the National Defense Au-
2 thorization Act for Fiscal Year 2018 (Public Law 115-
3 91; 10 U.S.C. 2223 note).

4 (c) COORDINATION WITH SOFTWARE ACQUISITION
5 PATHWAY EFFORTS.—The requirements and procedures
6 required under subsections (a) and (b) shall be developed
7 in conjunction with the Department of Defense’s efforts
8 to incorporate input and finalize the procedures described
9 in the Interim Procedures for Operation of the Software
10 Acquisition Pathway.

11 **SEC. 883. COMPTROLLER GENERAL REPORT ON INTELLEC-**
12 **TUAL PROPERTY ACQUISITION AND LICENS-**
13 **ING.**

14 (a) IN GENERAL.—Not later than October 1, 2021,
15 the Comptroller General of the United States shall submit
16 to the congressional defense committees a report evalu-
17 ating the implementation of the Department of Defense’s
18 Instruction on Intellectual Property Acquisition and Li-
19 censing (DODI 5010.44), established under section 2322
20 of title 10, United States Code.

21 (b) ELEMENTS.—The report required under sub-
22 section (a) shall assess the following:

23 (1) The extent to which the Department of De-
24 fense is fulfilling the core principles established in
25 DODI 5010.44.

1 (2) The extent to which the Defense Acquisition
2 University, Department of Defense components, and
3 program offices are carrying out their responsibil-
4 ities under DODI 5010.44.

5 (3) The progress of the Department in estab-
6 lishing an IP Cadre, including the extent to which
7 such experts are executing their roles and respon-
8 sibilities.

9 (4) The performance of the Department in as-
10 sessing and demonstrating the implementation of
11 DODI 5010.44, including the effectiveness of the IP
12 Cadre;

13 (5) The effect implementation of DODI
14 5010.44 has had on particular acquisitions;

15 (6) Any other matters the Comptroller General
16 determines appropriate.

17 **SEC. 884. PILOT PROGRAM EXPLORING THE USE OF CON-**
18 **SUMPTION-BASED SOLUTIONS TO ADDRESS**
19 **SOFTWARE-INTENSIVE WARFIGHTING CAPA-**
20 **BILITY.**

21 (a) **FINDING.**—In its final report, the Section 809
22 Panel recommended the adoption of consumption-based
23 approaches at the Department of Defense, stating, “More
24 things will be sold as a service in the future. XaaS could
25 really mean everything in the context of the Internet of

1 things (IoT). Consumption-based solutions are appearing
2 in many industry sectors, from last mile transportation
3 (e.g., bike shares and electric scooters) to agriculture (e.g.,
4 tractor-as-a-service for farmers in developing countries).
5 Most smart phone users are familiar with software up-
6 dates that provide bug fixes or new features. A more ex-
7 tremes example of technology innovation enabled by the
8 IoT is the ability to deliver physical performance improve-
9 ments to vehicles through over-the-air software up-
10 dates. . . In the not-so-distant future, cloud computing
11 and the IoT will enable consumption-based solution offer-
12 ings and delivery models that are hard to imagine today.”

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress—

15 (1) that the Department of Defense should take
16 advantage of “as-a-service” or “aaS” approaches in
17 commercial capability development, particularly
18 where the capability is software-defined, and cloud-
19 enabled;

20 (2) to support the Department of Defense’s
21 commitment to new approaches to development and
22 acquisition of software;

23 (3) that the Department should explore a vari-
24 ety of approaches, to include the use of consump-

1 tion-based solutions for software-intensive
2 warfighting capability; and

3 (4) that, in conducting activities under the pilot
4 program established under this program, the De-
5 partment should use the Software pathway under
6 the new Adaptive Acquisition Framework.

7 (c) IN GENERAL.—Subject to the availability of ap-
8 propriations, the Secretary of Defense is authorized to es-
9 tablish a pilot program to explore the use of consumption-
10 based solutions to address software-intensive warfighting
11 capability.

12 (d) SELECTION OF INITIATIVES.—The Secretary of
13 each military department and the commander of each
14 combatant command with acquisition authority shall pro-
15 pose for selection by the Secretary of Defense for the pilot
16 program at least one and not more than three initiatives
17 that are well-suited to explore consumption-based solu-
18 tions to address software-intensive warfighting capability.
19 The initiatives may be new or existing programs of record
20 and shall focus on software-defined or machine-enabled
21 warfighting applications, and may include applications
22 that—

23 (1) rapidly analyze sensor data;

24 (2) secure warfighter networks, including multi-
25 level security;

1 (3) swiftly transport information across various
2 networks and network modalities; or

3 (4) otherwise enable joint all-domain oper-
4 ational concepts, including in a contested environ-
5 ment.

6 (e) CONTRACT REQUIREMENTS.—Contracts for con-
7 sumption-based solutions entered into pursuant to the
8 pilot program shall provide for—

9 (1) the solution to be measurable on a frequent
10 interval customary for the type of solution;

11 (2) the contractor to notify the government
12 when consumption reaches 75 percent and 90 per-
13 cent of the contract funded amount; and

14 (3) discretion for the contracting officer to add
15 new features or capabilities without additional com-
16 petition for the contract, provided that the amount
17 of the new features or capabilities does not exceed
18 25 percent of the total contract value.

19 (f) DURATION OF INITIATIVES.—Each initiative car-
20 ried out under the pilot program shall be carried out dur-
21 ing the three-year period following selection of the initia-
22 tive.

23 (g) MONITORING AND EVALUATION OF PILOT PRO-
24 GRAM.—The Director of the Office of Cost Assessment
25 and Program Evaluation shall establish continuous moni-

1 toring to evaluate the pilot program established under sub-
2 section (c), including collecting data on cost, schedule, and
3 performance from the program office, the user community,
4 and the contractors.

5 (h) REPORTS.—

6 (1) INITIAL REPORT.—Not later than January
7 31, 2021, the Secretary of Defense shall submit to
8 the congressional defense committees a report on ini-
9 tiatives selected for the pilot program, roles and re-
10 sponsibilities for implementing the pilot program,
11 and the monitoring and evaluation approach for the
12 pilot.

13 (2) PROGRESS REPORT.—Not later than April
14 15, 2021, the Secretary of Defense shall submit to
15 the congressional defense committees a report on the
16 progress of the initiatives.

17 (3) FINAL REPORT.—Not later than 3 years
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall submit to the congressional
20 defense committees a report on the cost, schedule,
21 and performance outcomes of the initiatives. The re-
22 port shall also include lessons learned about the use
23 of consumption-based solutions for software-inten-
24 sive capabilities and any recommendations for statu-
25 tory or regulatory changes to facilitate their use.

1 (i) CONSUMPTION-BASED SOLUTION DEFINED.—In
 2 this section, the term “consumption-based solution”
 3 means any combination of software, hardware or equip-
 4 ment, and labor or services that provides a seamless capa-
 5 bility that is metered and billed based on actual usage and
 6 predetermined pricing per resource unit, and includes the
 7 ability to rapidly scale capacity up or down.

8 **Subtitle G—Other Matters**

9 **SEC. 891. SAFEGUARDING DEFENSE-SENSITIVE UNITED** 10 **STATES INTELLECTUAL PROPERTY, TECH-** 11 **NOLOGY, AND OTHER DATA AND INFORMA-** 12 **TION.**

13 (a) IN GENERAL.—The Secretary of Defense shall es-
 14 tablish, enforce, and track actions being taken to protect
 15 defense-sensitive United States intellectual property, tech-
 16 nology, and other data and information, including hard-
 17 ware and software, from acquisition by the Government
 18 of the People’s Republic of China.

19 (b) LIST OF CRITICAL TECHNOLOGY.—The Secretary
 20 of Defense shall establish and maintain a list of critical
 21 national security technology.

22 (c) RESTRICTIONS ON EMPLOYMENT OF DEFENSE
 23 INDUSTRIAL BASE EMPLOYEES WITH CHINESE COMPA-
 24 NIES.—The Secretary of Defense shall provide for mecha-
 25 nisms to restrict employees or former employees of the de-

1 fense industrial base that contribute to the technology ref-
2 erenced in subsection (b) from working directly for compa-
3 nies wholly owned by, or under the direction of, the Gov-
4 ernment of the Peoples Republic of China.

5 (d) REPORTS.—

6 (1) DEPARTMENT OF DEFENSE REPORT.—Not
7 later than May 1, 2021, the Secretary of Defense
8 shall submit to the congressional defense committees
9 a report on progress in implementing the measures
10 described in subsections (a) through (c).

11 (2) COMPTROLLER GENERAL REPORT.— Not
12 later than December 1, 2021, the Comptroller Gen-
13 eral of the United States shall submit to the con-
14 gressional defense committees a report reviewing the
15 report submitted under paragraph (1) and providing
16 an assessment of the effectiveness of the measures
17 implemented under this section.

18 (3) FORM.—The reports required under this
19 subsection shall be submitted in unclassified form
20 but may contain classified annexes.

21 **SEC. 892. DOMESTIC COMPARATIVE TESTING ACTIVITIES.**

22 Section 2350a(g)(1)(A) of title 10, United States
23 Code, is amended by inserting “and conventional defense
24 equipment, munitions, and technologies manufactured and
25 developed domestically” after “in subsection (a)(2)”.

1 **SEC. 893. REPEAL OF APPRENTICESHIP PROGRAM.**

2 (a) IN GENERAL.—Section 2870 of title 10, United
3 States Code, as added by section 865 of the National De-
4 fense Authorization Act for Fiscal Year 2020 (Public Law
5 116–92), is repealed.

6 (b) CONFORMING AMENDMENTS.—

7 (1) CLERICAL AMENDMENT.—The table of sec-
8 tions at the beginning of subchapter III of chapter
9 169 of title 10, United States Code, is amended by
10 striking the item relating to section 2870.

11 (2) OBSOLETE PROVISION.—Section 865 of the
12 National Defense Authorization Act for Fiscal Year
13 2020 (Public Law 116–92) is repealed.

14 **TITLE IX—DEPARTMENT OF DE-**
15 **FENSE ORGANIZATION AND**
16 **MANAGEMENT**

17 **Subtitle A—Office of the Secretary**
18 **of Defense and Related Matters**

19 **SEC. 901. ASSISTANT SECRETARY OF DEFENSE FOR SPE-**
20 **CIAL OPERATIONS AND LOW INTENSITY CON-**
21 **FLECT AND RELATED MATTERS.**

22 (a) IN GENERAL.—

23 (1) CLARIFICATION OF CHAIN OF ADMINISTRA-
24 TIVE COMMAND.—Section 138(b)(2) of title 10,
25 United States Code, is amended—

1 (A) by redesignating clauses (i), (ii), and
2 (iii) of subparagraph (B) as subclauses (I), (II),
3 and (III), respectively;

4 (B) by redesignating subparagraphs (A)
5 and (B) as clauses (i) and (ii), respectively;

6 (C) by inserting “(A)” after “(2)”;

7 (D) in clause (i) of subparagraph (A), as
8 redesignated by this paragraph, by inserting be-
9 fore the period at the end the following:
10 “through the administrative chain of command
11 specified in section 167(f) of this title;” and

12 (E) by adding at the end the following new
13 subparagraph:

14 “(B) In the discharge of the responsibilities specified
15 in subparagraph (A)(i), the Assistant Secretary is imme-
16 diately subordinate to the Secretary of Defense and the
17 Deputy Secretary of Defense. No officer below the Sec-
18 retary or the Deputy Secretary may intervene to exercise
19 authority, direction, or control over the Assistant Sec-
20 retary in the discharge of such responsibilities.”.

21 (2) TECHNICAL AMENDMENT.—Subparagraph
22 (A) of such section, as redesignated by paragraph
23 (2), is further amended in the matter preceding
24 clause (i), as so redesignated, by striking “section
25 167(j)” and inserting “section 167(k)”.

1 (b) FULFILLMENT OF SPECIAL OPERATIONS RE-
2 SPONSIBILITIES.—

3 (1) IN GENERAL.—Section 139b of title 10,
4 United States Code, is amended to read as follows:

5 **“§ 139b. Secretariat for Special Operations; Special**
6 **Operations Policy and Oversight Council**

7 “(a) SECRETARIAT FOR SPECIAL OPERATIONS.—

8 “(1) IN GENERAL.—In order to fulfill the re-
9 sponsibilities of the Assistant Secretary of Defense
10 for Special Operations and Low Intensity Conflict
11 specified in section 138(b)(2)(A)(i) of this title,
12 there shall be within the Office of the Assistant Sec-
13 retary of Defense for Special Operations and Low
14 Intensity Conflict an office to be known as the ‘Sec-
15 retariat for Special Operations’.

16 “(2) PURPOSE.—The purpose of the Secretariat
17 is to assist the Assistant Secretary in exercising au-
18 thority, direction, and control with respect to the
19 special operations-peculiar administration and sup-
20 port of the special operations command, including
21 the readiness and organization of special operations
22 forces, resources and equipment, and civilian per-
23 sonnel as specified in such section.

24 “(3) DIRECTOR.—The Director of the Secre-
25 tariat for Special Operations shall be appointed by

1 the Secretary of Defense from among individuals
2 qualified to serve as the Director. The Director shall
3 have a grade of Deputy Assistant Secretary of De-
4 fense.

5 “(4) ADMINISTRATIVE CHAIN OF COMMAND.—
6 For purposes of the support of the Secretariat for
7 the Assistant Secretary in the fulfillment of the re-
8 sponsibilities referred to in paragraph (1), the ad-
9 ministrative chain of command is as specified in sec-
10 tion 167(f) of this title. No officer below the Sec-
11 retary of Defense or the Deputy Secretary of De-
12 fense (other than the Assistant Secretary) may in-
13 tervene to exercise authority, direction, or control
14 over the Secretariat in its support of the Assistant
15 Secretary in the discharge of such responsibilities.

16 “(b) SPECIAL OPERATIONS POLICY AND OVERSIGHT
17 COUNCIL.—

18 “(1) IN GENERAL.—In order to fulfill the re-
19 sponsibilities specified in section 138(b)(2)(A)(i) of
20 this title, there shall also be within the Office of the
21 Assistant Secretary of Defense for Special Oper-
22 ations and Low Intensity Conflict a team known as
23 the ‘Special Operation Policy and Oversight Coun-
24 cil’. The team is lead by the Assistant Secretary of

1 Defense for Special Operations and Low Intensity
2 Conflict, or the Assistant Secretary's designee..

3 “(2) PURPOSE.—The purpose of the Council is
4 to integrate the functional activities of the head-
5 quarters of the Department of Defense in order to
6 most efficiently and effectively provide for special
7 operations forces and capabilities. In fulfilling this
8 purpose, the Council shall develop and continuously
9 improve policy, joint processes, and procedures that
10 facilitate the development, acquisition, integration,
11 employment, and sustainment of special operations
12 forces and capabilities.

13 “(3) MEMBERSHIP.—The Council shall include
14 the following:

15 “(A) The Assistant Secretary, who shall
16 act as leader of the Council.

17 “(B) Appropriate senior representatives of
18 each of the following:

19 “(i) The Under Secretary of Defense
20 for Research and Engineering.

21 “(ii) The Under Secretary of Defense
22 for Management and Support.

23 “(iii) The Under Secretary of Defense
24 (Comptroller).

1 “(iv) The Under Secretary of Defense
2 for Personnel and Readiness.

3 “(v) The Under Secretary of Defense
4 for Intelligence.

5 “(vi) The General Counsel of the De-
6 partment of Defense.

7 “(vii) The other Assistant Secretaries
8 of Defense under the Under Secretary of
9 Defense for Policy.

10 “(viii) The military departments.

11 “(ix) The Joint Staff.

12 “(x) The United States Special Oper-
13 ations Command.

14 “(xi) Such other officials or Agencies,
15 elements, or components of the Depart-
16 ment of Defense as the Secretary of De-
17 fense considers appropriate.

18 “(4) OPERATION.—The Council shall operate
19 continuously.”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions at the beginning of chapter 4 of such title is
22 amended by striking the item relating to section
23 139b and inserting the following new item:

“139b. Secretariat for Special Operations; Special Operations Policy and Over-
sight Council.”.

1 (c) DoD DIRECTIVE ON RESPONSIBILITIES OF ASD
2 SOLIC.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of this Act, the Sec-
5 retary of Defense shall publish a Department of De-
6 fense directive establishing policy and procedures re-
7 lated to the exercise of authority, direction, and con-
8 trol of all special-operations peculiar administrative
9 matters relating to the organization, training, and
10 equipping of special operations forces by the Assist-
11 ant Secretary of Defense for Special Operations and
12 Low Intensity Conflict as specified by section
13 138(b)(2)(A)(i) of title 10, United States Code, as
14 amended by subsection (a)(1).

15 (2) MATTERS FOR INCLUDING.—The directive
16 required by paragraph (1) shall include the fol-
17 lowing:

18 (A) A specification of responsibilities for
19 coordination on matters affecting the organiza-
20 tion, training, and equipping of special oper-
21 ations forces.

22 (B) An identification and specification of
23 updates to applicable documents and instruc-
24 tions of the Department of Defense.

1 (C) Mechanisms to ensure the inclusion of
2 the Assistant Secretary in all Departmental
3 governance forums affecting the organization,
4 training, and equipping of special operations
5 forces.

6 (D) Such other matters as the Secretary
7 considers appropriate.

8 (3) APPLICABILITY.— The directive required by
9 paragraph (1) shall apply throughout the Depart-
10 ment of Defense to all components of the Depart-
11 ment of Defense.

12 (4) LIMITATION ON AVAILABILITY OF CERTAIN
13 FUNDING PENDING PUBLICATION.—Of the amounts
14 authorized to be appropriated by this Act for fiscal
15 year 2021 for operation and maintenance, Defense-
16 wide, and available for the Office of the Secretary of
17 Defense, not more than 75 percent may be obligated
18 or expended until the date that is 15 days after the
19 date on which the Secretary publishes the directive
20 required by paragraph (1).

21 **SEC. 902. REDESIGNATION AND CODIFICATION IN LAW OF**
22 **OFFICE OF ECONOMIC ADJUSTMENT.**

23 (a) REDESIGNATION.—

24 (1) IN GENERAL.—The Office of Economic Ad-
25 justment in the Office of the Secretary of Defense

1 is hereby redesignated as the “Office of Local De-
2 fense Community Cooperation”.

3 (2) REFERENCES.—Any reference in a law,
4 map, regulation, document, paper, or other record of
5 the United States to the office referred to in para-
6 graph (1) shall be deemed to be a reference to the
7 “Office of Local Defense Community Cooperation”.

8 (b) CODIFICATION IN LAW.—

9 (1) IN GENERAL.—Chapter 4 of title 10, United
10 States Code, is amended by adding at the end the
11 following new section:

12 **“§ 146. Office of Local Defense Community Coopera-**
13 **tion**

14 “(a) IN GENERAL.—There is an Office of Local De-
15 fense Community Cooperation in the Office of the Under
16 Secretary of Defense for Acquisition and Sustainment.

17 “(b) DIRECTOR.—The Office shall be headed by the
18 Director of the Office of Local Defense Community Co-
19 operation, who shall be assigned to such position by the
20 Under Secretary from among civilian employees of the De-
21 partment of Defense who are qualified to serve in the posi-
22 tion.

23 “(c) FUNCTIONS.—Subject to the authority, direc-
24 tion, and control of the Under Secretary, the Office
25 shall—

1 “(1) in cooperation with the other components,
2 of the Department of Defense be the primary office
3 within the Department for the provision of assist-
4 ance to States, counties, municipalities, regions, and
5 communities intended to—

6 “(A) foster greater cooperation with mili-
7 tary installations in order to enhance the mili-
8 tary mission, achieve facility and infrastructure
9 savings and reduced operating costs, address
10 encroachment and compatible land use issues,
11 support military families, and increase military,
12 civilian, and industrial readiness and resiliency;
13 and

14 “(B) address impacts caused by changes in
15 defense programs, including basing decisions,
16 defense industry expansions or contractions, in-
17 creases or reductions in Federal civilian or con-
18 tractor personnel, and expansions, realign-
19 ments, and closures of military installations;

20 “(2) provide support to the Economic Adjust-
21 ment Committee within the Executive Office of the
22 President, or any successor interagency coordination
23 body; and

24 “(3) perform such other functions as the Sec-
25 retary of Defense may prescribe.

1 “(d) ANNUAL REPORT TO CONGRESS.—Not later
2 than June 1 each year, the Director of the Office of Local
3 Defense Community Cooperation shall submit to the con-
4 gressional defense committees a report on the activities
5 of the Office during the preceding year, including the as-
6 sistance provided pursuant to subsection (c)(1) during
7 such year.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of chapter 4 of such title is
10 amended by adding at the end the following new
11 item:

“146. Office of Local Defense Community Cooperation.”.

12 **SEC. 903. MODERNIZATION OF PROCESS USED BY THE DE-**
13 **PARTMENT OF DEFENSE TO IDENTIFY, TASK,**
14 **AND MANAGE CONGRESSIONAL REPORTING**
15 **REQUIREMENTS.**

16 (a) ANALYSIS REQUIRED.—The Assistant Secretary
17 of Defense for Legislative Affairs shall conduct an analysis
18 of the process used by the Department of Defense to iden-
19 tify reports to Congress required by annual national de-
20 fense authorization Acts, assign responsibility for prepara-
21 tion of such reports, and manage the completion and deliv-
22 ery of such reports to Congress for the purpose of identi-
23 fying mechanisms to optimize and otherwise modernize the
24 process.

1 (b) CONSULTATION.—The Assistant Secretary shall
2 conduct the analysis required by subsection (a) with the
3 assistance of and in consultation with the Chief Data Offi-
4 cer of the Department of Defense and the Director of the
5 Defense Digital Service.

6 (c) ELEMENTS.—The analysis required by subsection
7 (a) shall include the following:

8 (1) A business process reengineering of the
9 process described in subsection (a).

10 (2) An assessment of applicable commercially
11 available analytics tools, technologies, and services in
12 connection with such business process reengineering.

13 (3) Such other actions as the Assistant Sec-
14 retary considers appropriate for purposes of the
15 analysis.

16 (d) BRIEFING.—Not later than November 15, 2020,
17 the Assistant Secretary shall brief the congressional de-
18 fense committees on the results of the analysis required
19 by subsection (a). The briefing shall address the following:

20 (1) The results of the analysis and of the busi-
21 ness process reengineering described in subsection
22 (c)(1).

23 (2) A description of the actions being taken,
24 and to be taken, to optimize and otherwise improve
25 the process described in subsection (a).

1 (3) Such recommendations for administrative
2 and legislative action as the Assistant Secretary con-
3 siders appropriate to facilitate the optimization and
4 improvement of the process described in subsection
5 (a) as a result of the analysis and the business proc-
6 ess reengineering.

7 (4) Such other matters as the Assistant Sec-
8 retary considers appropriate in connection with the
9 analysis, the business process reengineering and the
10 optimization and improvement of the process de-
11 scribed in subsection (a).

12 **SEC. 904. INCLUSION OF VICE CHIEF OF THE NATIONAL**
13 **GUARD BUREAU AS AN ADVISOR TO THE**
14 **JOINT REQUIREMENTS OVERSIGHT COUNCIL.**

15 Section 181(d)(3) of title 10, United States Code, is
16 amended—

17 (1) in the heading, by inserting “AND VICE
18 CHIEF OF THE NATIONAL GUARD BUREAU” after
19 “OF STAFF”;

20 (2) by striking “of the Chiefs of Staff” and in-
21 serting “of—

22 “(A) the Chiefs of Staff”;

23 (3) by striking the period at the end and insert-
24 ing “; and”; and

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

3 “(B) the Vice Chief of the National Guard
4 Bureau when matters involving non-Federalized
5 National Guard capabilities in support of home-
6 land defense or civil support missions are under
7 consideration by the Council.”.

8 **SEC. 905. ASSIGNMENT OF RESPONSIBILITY FOR THE ARC-**
9 **TIC REGION WITHIN THE OFFICE OF THE**
10 **SECRETARY OF DEFENSE.**

11 The Assistant Secretary of Defense for International
12 Security Affairs shall assign responsibility for the Arctic
13 region to the Deputy Assistant Secretary of Defense for
14 the Western Hemisphere or any other Deputy Assistant
15 Secretary of Defense the Secretary of Defense considers
16 appropriate.

17 **Subtitle B—Department of Defense**
18 **Management Reform**

19 **SEC. 911. TERMINATION OF POSITION OF CHIEF MANAGE-**
20 **MENT OFFICER OF THE DEPARTMENT OF DE-**
21 **FENSE.**

22 (a) TERMINATION.—

23 (1) IN GENERAL.—The position of Chief Man-
24 agement Officer of the Department of Defense is
25 terminated, effective on the date specified by the

1 Secretary of Defense, which date may not be later
2 than September 30, 2022.

3 (2) NOTICE.—The Secretary shall submit to the
4 Committees on Armed Services of the Senate and
5 the House of Representatives a notice on the effective
6 date specified pursuant to paragraph (1).

7 (b) CONFORMING REPEAL OF ESTABLISHING AUTHORITY.—
8

9 (1) IN GENERAL.—Section 132a of title 10,
10 United States Code, is repealed.

11 (2) TABLE OF SECTIONS.—The table of sections
12 at the beginning of chapter 4 of such title is amended
13 by striking the item relating to section 132a.

14 (3) EFFECTIVE DATE.—The amendments made
15 by this subsection shall take effect on the effective
16 date specified pursuant to subsection (a)(1).

17 **SEC. 912. REPORT ON ASSIGNMENT OF RESPONSIBILITIES,**
18 **DUTIES, AND AUTHORITIES OF CHIEF MAN-**
19 **AGEMENT OFFICER TO OTHER OFFICERS OR**
20 **EMPLOYEES OF THE DEPARTMENT OF DE-**
21 **FENSE.**

22 (a) REPORT.—Not later than 45 days before the effective
23 date specified pursuant to section 911(a)(1), the
24 Secretary of Defense shall submit to the Committees on

1 Armed Services of the Senate and the House of Represent-
2 atives a report setting forth the following:

3 (1) The position and title of each officer or em-
4 ployee of the Department of Defense, and the com-
5 ponent of such officer or employee, in whom the Sec-
6 retary will vest responsibility and authority to per-
7 form responsibilities and duties, and exercise au-
8 thorities, assigned to the Chief Management Officer
9 of the Department of Defense, whether by statute or
10 by directive, instruction, policy, or practice of the
11 Department of Defense, on the termination of the
12 position of Chief Management Officer under section
13 911.

14 (2) A description of the responsibilities, duties,
15 and authorities, if any, assigned to the Chief Man-
16 agement Officer by statute that the Secretary rec-
17 ommends for discontinuation or modification, and a
18 justification for such recommendation.

19 (3) A description of the responsibilities, duties,
20 and authorities, if any, assigned to the Chief Man-
21 agement Officer by directive, instruction, policy, or
22 practice of the Department that the Secretary rec-
23 ommends for discontinuation or modification, and a
24 justification for such recommendation.

1 (4) A description of the general process and
2 timeline for the effective transfer of each responsi-
3 bility, duty, and authority assigned to the Chief
4 Management Officer by statute or by policy, instruc-
5 tion, or practice of the Department to the officer or
6 employee in whom such responsibility, duty, and au-
7 thority will be vested as described in paragraph (1).

8 (5) A description of the manner and timeline in
9 which the resources of the Chief Management Offi-
10 cer, including funding and human capital, will be re-
11 aligned or repurposed to other organizations in the
12 Office of the Secretary of Defense or to other com-
13 ponents of the Department.

14 (6) A description of the general process and
15 timeline for the assignment of responsibility of each
16 issue under the jurisdiction of the Chief Manage-
17 ment Officer current identified by the Comptroller
18 General of the United States as “high risk” to an
19 officer or employee in the Department who is specifi-
20 cally charged by the Secretary to initiate and sustain
21 progress toward resolution of such issue.

22 (7) Such recommendations (including rec-
23 ommendations for legislative action) as the Secretary
24 considers appropriate for additional authorities and
25 resources (including funding and human capital re-

1 sources) necessary to ensure that each officer or em-
2 ployee, in whom the Secretary vests responsibility
3 and authority as described in paragraph (1) is capa-
4 ble of exercising such responsibility and authority ef-
5 fectively.

6 (8) Such other matters in connection with the
7 termination of the position of Chief Management Of-
8 ficer, and the transition of the responsibilities, du-
9 ties, and authorities of the Chief Management Offi-
10 cer in connection with such termination, as the Sec-
11 retary considers appropriate.

12 (b) VESTING OF CERTAIN RESPONSIBILITIES, DU-
13 TIES, AND AUTHORITIES IN PARTICULAR OFFICERS.—In
14 setting forth matters under paragraph (1) of subsection
15 (a), the report required by that subsection shall address,
16 in particular, the following:

17 (1) Vesting of responsibilities, duties, and au-
18 thorities of the Chief Management Officer in the
19 Deputy Secretary of Defense in the Deputy Sec-
20 retary's capacity as the Chief Operating Officer of
21 the Department of Defense for purposes of functions
22 specified in section 1123 of title 31, United States
23 Code.

24 (2) Vesting of responsibilities, duties, and au-
25 thorities of the Chief Management Officer in the

1 Performance Improvement Officer of the Depart-
2 ment of Defense under section 142a of title 10,
3 United States Code (as added by section 913 of this
4 Act), for purposes of functions specified in section
5 1124 of title 31, United States Code.

6 (c) OTHER RESPONSIBILITIES, DUTIES AND AU-
7 THORITIES.—In addition to any other responsibilities, du-
8 ties, and authorities of the Chief Management Officer, the
9 report required by subsection (a) shall specifically address
10 responsibilities, duties, and authorities of the Chief Man-
11 agement Officer with respect to the following:

12 (1) Establishment of policies for, and the direc-
13 tion and management of, enterprise business oper-
14 ations and shared business services of the Depart-
15 ment, as set forth in section 132a(b) of title 10,
16 United States Code, and section 921(b) of the John
17 S. McCain National Defense Authorization Act for
18 Fiscal Year 2019 (10 U.S.C. 2222 note).

19 (2) Exercise of authority, direction, and control
20 over the Defense Agencies and Department of De-
21 fense Field Activities for shared business services
22 and budget review, assessment, certification, and re-
23 porting, as set forth in subsections (b) and (c) of
24 section 132a of title 10, United States Code, and
25 section 192 of that title.

1 (3) Minimization of duplication of efforts, maxi-
2 mization of efficiency and effectiveness, and estab-
3 lishment of metrics for performance among and for
4 all components of the Department, as set forth in
5 section 132a(b) of title 10, United States Code.

6 (4) Issuance and maintenance of guidance on
7 covered defense business systems, development and
8 maintenance of the defense business enterprise ar-
9 chitecture, exercise of authorities and responsibilities
10 with respect to common enterprise data, leadership
11 of and matters within the Defense Business Council,
12 and service as the appropriate approval official in
13 the case of certain covered defense business systems
14 and programs, as set forth in section 2222 of title
15 10, United States Code.

16 (5) The Financial Improvement and Audit Re-
17 mediation Plan, as set forth in section 240b of title
18 10, United States Code.

19 (6) Receipt of audit reports, as set forth in sec-
20 tion 240d of title 10, United States Code.

21 (7) Discharge by the Department of the annual
22 reviews required by section 11319 of title 40, United
23 States Code.

24 (8) Business transformation efforts of the de-
25 fense commissary system and the exchange stores

1 system, as set forth in section 631 of the National
2 Defense Authorization Act for Fiscal Year 2020
3 (Public Law 116–92).

4 (9) Analysis of Department business manage-
5 ment and operations datasets, as set forth in section
6 922 of the John S. McCain National Defense Au-
7 thorization Act for Fiscal Year 2019 (10 U.S.C.
8 2222 note).

9 (10) Reviews, reports, and other actions re-
10 quired by sections 924, 925, 926, 927, and 1624 of
11 the John S. McCain National Defense Authorization
12 Act for Fiscal Year 2019, to the extent such reviews,
13 reports, and actions have not been completed as of
14 the date of the report under subsection (a).

15 (11) Science and technology activities in sup-
16 port of business systems information technology ac-
17 quisition as set forth in section 217 of the National
18 Defense Authorization Act for Fiscal Year 2016 (10
19 U.S.C. 2445a note).

20 (12) Relationships with the Chief Management
21 Officers of the military departments, and the devel-
22 opment and update of a strategic management plan
23 for the Department, as set forth in section 904 of
24 the National Defense Authorization Act for Fiscal

1 Year 2008 (Public Law 110–181) and the amend-
2 ments made by that section.

3 **SEC. 913. PERFORMANCE IMPROVEMENT OFFICER OF THE**
4 **DEPARTMENT OF DEFENSE.**

5 (a) PERFORMANCE IMPROVEMENT OFFICER.—

6 (1) IN GENERAL.—Chapter 4 of title 10, United
7 States Code, is amended by inserting after section
8 142 the following new section:

9 **“§ 142a. Performance Improvement Officer of the De-**
10 **partment of Defense**

11 “(a) There is an Performance Improvement Officer
12 of the Department of Defense, who is designated as pro-
13 vided in section 1124(a)(1) of title 31.

14 “(b) The Performance Improvement Officer shall—

15 “(1) perform the duties and responsibilities,
16 and exercise the powers set forth in section 1124 of
17 title 31; and

18 “(2) perform such additional duties and respon-
19 sibilities, and exercise such other powers, as the Sec-
20 retary of Defense and the Deputy Secretary of De-
21 fense may prescribe.

22 “(c) Subject to the authority, direction, and control
23 of the Secretary of Defense, the Performance Improve-
24 ment Officer reports, without intervening authority, di-
25 rectly to the Deputy Secretary of Defense, in the Deputy

1 Secretary's role as the Chief Operating Officer of the De-
2 partment of Defense under section 1123 of title 31.

3 “(d) The Performance Improvement Officer may
4 communicate views on matters within the responsibility of
5 the Officer directly to the Deputy Secretary of Defense,
6 without obtaining the approval or concurrence of any other
7 officer in the Department of Defense.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tion at the beginning of chapter 4 of such title is
10 amended by inserting after the item relating to sec-
11 tion 142 the following new item:

“142a. Performance Improvement Officer of the Department of Defense.”.

12 (b) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendments made by
14 subsection (a) shall take effect on such date as the
15 Secretary of Defense shall specify for purposes of
16 this section, which date may not be later than one
17 day before the effective date specified by the Sec-
18 retary pursuant to section 911(a)(1).

19 (2) NOTICE.—The Secretary shall submit to the
20 Committees on Armed Services of the Senate and
21 the House of Representatives a notice on the effec-
22 tive date specified pursuant to paragraph (1).

1 **SEC. 914. ASSIGNMENT OF CERTAIN RESPONSIBILITIES**
2 **AND DUTIES TO PARTICULAR OFFICERS OF**
3 **THE DEPARTMENT OF DEFENSE.**

4 (a) CERTAIN RESPONSIBILITIES AND DUTIES OF
5 DEPUTY SECRETARY OF DEFENSE.—

6 (1) CHIEF OPERATING OFFICER OF THE DE-
7 PARTMENT OF DEFENSE.—Section 132 of title 10,
8 United States Code, is amended—

9 (A) by redesignating subsections (c), (d),
10 and (e) as subsections (d), (e), and (f), respec-
11 tively; and

12 (B) by inserting after subsection (b) the
13 following new subsection (c):

14 “(c)(1) In accordance with section 1123 of title 31,
15 the Deputy Secretary performs the duties, has the respon-
16 sibilities, and exercises the powers of the Chief Operating
17 Officer of the Department of Defense.

18 “(2) Subject to the authority, direction, and control
19 of the Secretary of Defense, the Deputy Secretary shall
20 supervise the Performance Improvement Officer of the De-
21 partment of Defense in the Officer’s performance of duties
22 and responsibilities specified in section 142a of this title.”.

23 (2) DESIGNATION OF PRIORITY DEFENSE BUSI-
24 NESS SYSTEMS.—Section 2222(h)(5)(B) of such title
25 is amended by striking “the Chief Management Offi-
26 cer of the Department of Defense” and inserting

1 “the Deputy Secretary of Defense, or such other of-
2 ficer of the Department of Defense as the Secretary
3 or the Deputy Secretary may designate,”.

4 (b) PERIODIC REVIEWS OF DEFENSE AGENCIES AND
5 DEPARTMENT OF DEFENSE FIELD ACTIVITIES IN CON-
6 NECTION WITH BUSINESS ENTERPRISE REFORM.—Sec-
7 tion 192(c) of such title is amended—

8 (1) by redesignating paragraph (3), as redesign-
9 nated by section 923(a)(1) of the John S. McCain
10 National Defense Authorization Act for Fiscal Year
11 2019 (Public Law 115–232; 132 Stat. 1930), as
12 paragraph (4);

13 (2) by redesignating paragraphs (1) and (2), as
14 added by section 923(a)(2) of the John S. McCain
15 National Defense Authorization Act for Fiscal Year
16 2019, as paragraphs (2) and (3), respectively;

17 (3) in paragraph (2), as redesignated by para-
18 graph (2) of this subsection—

19 (A) in subparagraph (A), by striking “the
20 Chief Management Officer of the Department
21 of Defense” and inserting “the Secretary, the
22 Deputy Secretary of Defense, or an officer of
23 the Department of Defense designated by the
24 Secretary or the Deputy Secretary”;

1 (B) in subparagraph (B), by striking “the
2 Chief Management Officer” and inserting “the
3 officer conducting such review”; and

4 (C) in subparagraph (C), by striking “the
5 Chief Management Officer” and inserting “the
6 Secretary”; and

7 (4) in paragraph (3), as so redesignated, by
8 striking “the Chief Management Officer” each place
9 it appears in subparagraphs (A) and (B) and insert-
10 ing “the officer conducting such review”.

11 (c) RESPONSIBILITY OF UNDER SECRETARY OF DE-
12 FENSE (COMPTROLLER) FOR FINANCIAL IMPROVEMENT
13 AND AUDIT REMEDIATION PLAN.—Subsection (a) of sec-
14 tion 240b of such title is amended to read as follows:

15 “(a) IN GENERAL.—The Under Secretary of Defense
16 (Comptroller) shall, together with such other officers and
17 employees of the Department of Defense as the Secretary
18 of Defense or the Deputy Secretary of Defense may des-
19 ignate, shall maintain a plan to be known as the ‘Financial
20 Improvement and Audit Remediation Plan’.”.

21 (d) PERFORMANCE IMPROVEMENT OFFICER FUNC-
22 TIONS FOR DEFENSE BUSINESS SYSTEMS.—Section 2222
23 of such title is amended—

24 (1) in subsection (e)(6)(C), by inserting “and
25 the Performance Improvement Officer of the De-

1 partment of Defense” after “The Director of Cost
2 Assessment and Program Evaluation”; and

3 (2) in subsection (f)(2)(B)—

4 (A) by redesignating clauses (i) through
5 (iii) as clauses (ii) through (iv), respectively;
6 and

7 (B) by inserting before clause (ii), as re-
8 designated by paragraph (1), the following new
9 clause (i):

10 “(i) The Performance Improvement
11 Officer of the Department of Defense.”.

12 (e) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the effective date specified
14 in section 911(a)(1).

15 **SEC. 915. ASSIGNMENT OF RESPONSIBILITIES AND DUTIES**
16 **OF CHIEF MANAGEMENT OFFICER TO OFFI-**
17 **CERS OR EMPLOYEES OF THE DEPARTMENT**
18 **OF DEFENSE TO BE DESIGNATED.**

19 (a) TITLE 10, UNITED STATES CODE.—Title 10,
20 United States Code, is amended as follows:

21 (1) In section 240d(d)(1)(A), by striking “the
22 Chief Management Officer of the Department of De-
23 fense” and inserting “any other officer or employee
24 of the Department of Defense that the Secretary of

1 Defense or the Deputy Secretary of Defense may
2 designate for purposes of this section”.

3 (2) Section 2222 is amended—

4 (A) in subsection (c)(2)—

5 (i) by striking “the Chief Management
6 Officer of the Department of Defense,”;
7 and

8 (ii) by striking “and the Chief Man-
9 agement Officer of each of the military de-
10 partments” and inserting “the Chief Man-
11 agement Officer of each of the military de-
12 partments, and other appropriate officers
13 or employees of the Department and its
14 components”;

15 (B) in subsection (e)—

16 (i) in paragraph (1), by striking “the
17 Chief Management Officer of the Depart-
18 ment of Defense” and inserting “such offi-
19 cers or employees of the Department of
20 Defense as the Secretary shall designate”;

21 (ii) in paragraph (6)—

22 (I) in subparagraph (A)—

23 (aa) by striking “The Chief
24 Management Officer of the De-
25 partment of Defense” and insert-

1 ing “Such officers of the Depart-
2 ment of Defense as the Secretary
3 shall designate”; and

4 (bb) by striking “the Chief
5 Management Officer” and insert-
6 ing “such officers”; and

7 (II) in subparagraph (B), by
8 striking “The Chief Management Offi-
9 cer and the Under Secretary of De-
10 fense (Comptroller)” and inserting
11 “The Under Secretary of Defense
12 (Comptroller) and such other officers
13 of the Department as the Secretary
14 shall designate”;

15 (C) in subsection (f)(1), by striking “the
16 Chief Management Office and the Chief Infor-
17 mation Office of the Department of Defense”
18 and inserting “the Chief Information Officer of
19 the Department of Defense and such other offi-
20 cers or employees of the Department of Defense
21 as the Secretary may designate”; and

22 (D) in subsection (g)(2), by striking “the
23 Chief Management Officer of the Department
24 of Defense” each place it appears in subpara-
25 graphs (A) and (B)(ii) and inserting “an officer

1 or employee of the Department of Defense des-
2 ignated by the Secretary”.

3 (b) TITLE 40, UNITED STATES CODE.—Section
4 11319(d)(4) of title 40, United States Code, is amended
5 by striking “the Chief Management Officer of the Depart-
6 ment of Defense (of any successor to such Officer)” and
7 inserting “the officer of the Department of Defense des-
8 ignated by the Secretary of Defense or the Deputy Sec-
9 retary of Defense for such purpose”.

10 (c) PUBLIC LAW 116–92.—Section 631(a) of the Na-
11 tional Defense Authorization Act for Fiscal Year 2020
12 (Public Law 116–92) is amended by striking “the Chief
13 Management Officer of the Department of Defense” and
14 inserting “such officer of the Department of Defense as
15 the Secretary of Defense or the Deputy Secretary of De-
16 fense may designate”.

17 (d) PUBLIC LAW 115–232.—The John S. McCain
18 National Defense Authorization Act for Fiscal Year 2019
19 (Public Law 115–232) is amended as follows:

20 (1) In section 921(b)(1) (10 U.S.C. 2222
21 note)—

22 (A) in subparagraph (A), by striking “the
23 Chief Management Officer of the Department
24 of Defense” and inserting “such officer or em-
25 ployee of the Department of Defense as the

1 Secretary of Defense or the Deputy Secretary
2 of Defense shall designate”;

3 (B) in subparagraph (B)—

4 (i) in the subparagraph heading, by
5 striking “CMO”;

6 (ii) by striking “the Chief Manage-
7 ment Officer” the first place it appears
8 and inserting “the Secretary shall, acting
9 through such officer or employee of the
10 Department as the Secretary or the Dep-
11 uty Secretary shall designate”; and

12 (iii) by striking “by the Chief Man-
13 agement Officer”.

14 (2) In section 922 (10 U.S.C. 2222 note)—

15 (A) in subsection (a), by striking “The
16 Chief Management Officer of the Department
17 of Defense” and inserting “An officer or em-
18 ployee of the Department of Defense designated
19 by the Secretary of Defense or the Deputy Sec-
20 retary of Defense”; and

21 (B) in subsection (b)—

22 (i) in paragraph (1)—

23 (I) in the matter preceding sub-
24 paragraph (A), by striking “The Chief
25 Management Officer” and inserting

1 “The officer or employee designated
2 pursuant to subsection (a)”; and

3 (II) in subparagraph (B), by
4 striking “The Chief Management Offi-
5 cer” and inserting “such officer or
6 employee”; and

7 (ii) in paragraph (2), by striking “the
8 Chief Management Officer shall take ap-
9 propriate actions” and inserting “all ap-
10 propriate actions shall be taken”.

11 (3) In section 924 (10 U.S.C. 191 note)—

12 (A) in subsection (a), by striking “the
13 Chief Management Officer of the Department
14 of Defense” in the matter preceding paragraph
15 (1) and inserting “such officer of the Depart-
16 ment of Defense as the Secretary or Defense or
17 the Deputy Secretary of Defense shall des-
18 ignate”;

19 (B) in subsection (b)—

20 (i) in the matter preceding paragraph
21 (1), by striking “the Chief Management
22 Officer” and inserting “the officer des-
23 ignated pursuant to subsection (a)”; and

1 (ii) in subparagraph (B), by striking
2 “the Chief Management Officer” and in-
3 serting “such officer”; and

4 (C) in subsection (c)—

5 (i) by striking “the Chief Management
6 Officer” the first place it appears and in-
7 serting “the officer designated pursuant to
8 subsection (a)”; and

9 (ii) by striking “the Chief Manage-
10 ment Officer” the second place it appears
11 and inserting “such officer”.

12 (4) In section 925(a) (132 Stat. 1932), by
13 striking “the Chief Management Officer of the De-
14 partment of Defense” in the matter preceding para-
15 graph (1) and inserting “such officer of the Depart-
16 ment of Defense as the Secretary or Defense or the
17 Deputy Secretary of Defense shall designate”.

18 (5) In section 926(a) (132 Stat. 1932), by
19 striking “the Chief Management Officer of the De-
20 partment of Defense” in the matter preceding para-
21 graph (1) and inserting “such officer of the Depart-
22 ment of Defense as the Secretary or Defense or the
23 Deputy Secretary of Defense shall designate”.

24 (6) In section 927 (132 Stat. 1933)—

1 (A) in subsection (a), by striking “the
2 Chief Management Officer of the Department
3 of Defense” and inserting “such officer of the
4 Department of Defense as the Secretary or De-
5 fense or the Deputy Secretary of Defense shall
6 designate”; and

7 (B) in subsections (c) and (d), by striking
8 “the Chief Management Officer” each place it
9 appears and inserting “the officer designated
10 pursuant to subsection (a)”.

11 (7) In section 1624(a) (10 U.S.C. 2222 note)—

12 (A) in paragraph (1), by striking “the
13 Chief Management Officer of the Department
14 of Defense” and inserting “such officer of the
15 Department of Defense as the Secretary or De-
16 fense or the Deputy Secretary of Defense shall
17 designate”;

18 (B) by striking “the Chief Management
19 Officer” each place it appears in paragraphs
20 (2), (3), and (4) and inserting “the officer des-
21 ignated pursuant to paragraph (1)”;

22 (C) by inserting “and Security” after “for
23 Intelligence” each place it appears.

1 (e) PUBLIC LAW 114–92.—The National Defense
2 Authorization Act for Fiscal Year 2016 (Public Law 114–
3 92) is amended as follows:

4 (1) In section 217—

5 (A) in subsection (a), by striking “the
6 Deputy Chief Management Officer, and the
7 Chief Information Officer” and inserting “the
8 Chief Information Officer, and any other officer
9 of the Department of Defense designated by the
10 Secretary of Defense or the Deputy Secretary
11 of Defense for such purpose”; and

12 (B) in subsections (b), (f)(1)(A)(ii), and
13 (f)(2)(B), by striking “the Deputy Chief Man-
14 agement Officer” each place it appears and in-
15 serting “any officer designated pursuant to sub-
16 section (a)”.

17 (2) In section 881(a) (10 U.S.C. 2302 note), by
18 striking “the Deputy Chief Management Officer,”.

19 (f) PUBLIC LAW 110–81.—Section 904 of the Na-
20 tional Defense Authorization Act for Fiscal Year 2008
21 (Public Law 110–81; 122 Stat. 273) is amended—

22 (1) in subsection (b)(4), by striking “the Chief
23 Management Officer and Deputy Chief Management
24 Officer of the Department of Defense” and inserting
25 “such officer of the Department of Defense as the

1 Secretary of Defense or the Deputy Secretary of De-
 2 fense shall designate”; and

3 (2) in subsection (d)—

4 (A) in paragraph (1), by striking “the
 5 Chief Management Officer of the Department
 6 of Defense” and inserting “such officer of the
 7 Department of Defense as the Secretary of De-
 8 fense or the Deputy Secretary of Defense may
 9 designate for purposes of this subsection”; and

10 (B) in paragraph (3), by striking “the
 11 Chief Management Officer” and inserting “the
 12 officer designated pursuant to paragraph (1)”.

13 (g) EFFECTIVE DATE.—The amendments made by
 14 this section shall take effect on the effective date specified
 15 in section 911(a)(1).

16 **SEC. 916. DEFINITION OF ENTERPRISE BUSINESS OPER-**
 17 **ATIONS FOR TITLE 10, UNITED STATES CODE.**

18 Effective on the effective date specified in section
 19 911(a)(1) of this Act, section 101(e) of title 10, United
 20 States Code, is amended by adding at the end the fol-
 21 lowing new paragraph:

22 “(9) ENTERPRISE BUSINESS OPERATIONS.—

23 The term ‘enterprise business operations’—

24 “(A) means activities that constitute cross-
 25 cutting business operations used by multiple

1 components of the Department of Defense, but
2 excludes activities that are directly tied to a sin-
3 gle military department or Department of De-
4 fense component; and

5 “(B) includes business-support functions
6 designated by the Secretary of Defense or the
7 Deputy Secretary of Defense, including aspects
8 of financial management, healthcare, acquisi-
9 tion and procurement, supply chain and logis-
10 tics, certain information technology, real prop-
11 erty, and human resources operations.”.

12 **SEC. 917. ANNUAL REPORT ON ENTERPRISE BUSINESS OP-**
13 **ERATIONS OF THE DEPARTMENT OF DE-**
14 **FENSE.**

15 (a) ANNUAL REPORT REQUIRED.—Not later than
16 March 31 each year, the Secretary of Defense shall submit
17 to Congress a report that includes the following:

18 (1) Each proposed budget for the enterprise
19 business operations of a Defense Agency or Depart-
20 ment of Defense Field Activity for the fiscal year be-
21 ginning in the year in which such report is sub-
22 mitted.

23 (2) An identification of each proposed budget
24 described in paragraph (1) that does not achieve re-

1 quired levels of efficiency and effectiveness for enter-
2 prise business operations.

3 (3) A discussion of the actions that the Sec-
4 retary proposes to take, including recommendations
5 for legislative action that the Secretary considers ap-
6 propriate, to address inadequate levels of efficiency
7 and effectiveness for enterprise business operations
8 achieved by the proposed budgets described in para-
9 graph (1).

10 (4) Any additional comments that the Secretary
11 considers appropriate regarding inadequate levels of
12 efficiency and effectiveness for enterprise business
13 operations achieved by the proposed budgets de-
14 scribed in paragraph (1).

15 (b) SUBMITTAL.—The Secretary may submit a report
16 required by subsection (a) through the Deputy Secretary
17 of Defense.

18 (c) ENTERPRISE BUSINESS OPERATIONS DE-
19 FINED.—In this section, the term “enterprise business op-
20 erations” has the meaning given that term in paragraph
21 (9) of section 101(e) of title 10, United States Code (as
22 added by section 916 of this Act).

23 **SEC. 918. CONFORMING AMENDMENTS.**

24 (a) TITLE 10, UNITED STATES CODE.—Title 10,
25 United States Code, is amended as follows:

1 (1) In section 131(b)—

2 (A) by striking paragraph (2);

3 (B) by redesignating paragraphs (3)
4 through (9) as paragraphs (2) through (8), re-
5 spectively; and

6 (C) in paragraph (7), as redesignated by
7 subparagraph (B)—

8 (i) by redesignating subparagraphs
9 (A) through (F) as subparagraphs (B)
10 through (G), respectively; and

11 (ii) by inserting before subparagraph
12 (B), as redesignated by clause (i), the fol-
13 lowing new subparagraph (A):

14 “(A) The Performance Improvement Officer of
15 the Department of Defense.”.

16 (2) In section 133a(c)—

17 (A) in paragraph (1), by striking “, the
18 Deputy Secretary of Defense, and the Chief
19 Management Officer of the Department of De-
20 fense” and inserting “and the Deputy Secretary
21 of Defense”; and

22 (B) in paragraph (2), by striking “the
23 Chief Management Officer,”.

24 (3) In section 133b(c)—

1 (A) in paragraph (1), by striking “the
2 Chief Management Officer of the Department
3 of Defense,”; and

4 (B) in paragraph (2), by striking “the
5 Chief Management Officer,”.

6 (4) In section 137a(d), by striking “the Chief
7 Management Officer of the Department of De-
8 fense,”.

9 (5) In section 138(d), by striking “the Chief
10 Management Officer of the Department of De-
11 fense,”.

12 (6) In section 240b(b)(1)(C)(ii), by striking “,
13 the Chief Management Officer,”.

14 (b) EXECUTIVE SCHEDULE LEVEL II.—Section 5313
15 of title 5, United States Code, is amended by striking the
16 item relating to the Chief Management Officer of the De-
17 partment of Defense.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect on the effective date specified
20 in section 911(a)(1).

1 **Subtitle C—Space Force Matters**

2 **PART I—AMENDMENTS TO INTEGRATE THE** 3 **SPACE FORCE INTO LAW**

4 **SEC. 931. CLARIFICATION OF SPACE FORCE AND CHIEF OF** 5 **SPACE OPERATIONS AUTHORITIES.**

6 (a) COMPOSITION OF SPACE FORCE.—Section 9081
7 of title 10, United States Code, is amended by striking
8 subsection (b) and inserting the following new subsection
9 (b):

10 “(b) COMPOSITION.—The Space Force consists of—

11 “(1) the Regular Space Force;

12 “(2) all persons appointed or enlisted in, or
13 conscripted into, the Space Force, including those
14 not assigned to units, necessary to form the basis
15 for a complete and immediate mobilization for the
16 national defense in the event of a national emer-
17 gency; and

18 “(3) all Space Force units and other Space
19 Force organizations, including installations and sup-
20 porting and auxiliary combat, training, administra-
21 tive, and logistic elements.”.

22 (b) FUNCTIONS.—Section 9081 of title 10, United
23 States Code, is further amended—

24 (1) by striking subsection (c) and inserting the
25 following new subsection (c):

1 “(c) FUNCTIONS.—The Space Force shall be orga-
2 nized, trained, and equipped to—

3 “(1) provide freedom of operation for the
4 United States in, from, and to space;

5 “(2) conduct space operations; and

6 “(3) protect the interests of the United States
7 in space.”; and

8 (2) by striking subsection (d).

9 (c) CLARIFICATION OF CHIEF OF SPACE OPER-
10 ATIONS AUTHORITIES.—Section 9082 of title 10, United
11 States Code, is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “general
14 officers of the Air Force” and inserting “gen-
15 eral, flag, or equivalent officers of the Space
16 Force”; and

17 (B) by adding at the end the following new
18 paragraphs:

19 “(3) The President may appoint an officer as Chief
20 of Space Operations only if—

21 “(A) the officer has had significant experience
22 in joint duty assignments; and

23 “(B) such experience includes at least one full
24 tour of duty in a joint duty assignment (as defined

1 in section 664(d) of this title) as a general, flag, or
2 equivalent officer of the Space Force.

3 “(4) The President may waive paragraph (3) in the
4 case of an officer if the President determines such action
5 is necessary in the national interest.”;

6 (2) in subsection (b), by striking “grade of gen-
7 eral” and inserting “grade in the Space Force equiv-
8 alent to the grade of general in the Army, Air Force,
9 and Marine Corps, or admiral in the Navy”; and

10 (3) in subsection (d)—

11 (A) in paragraph (4), by striking “and” at
12 the end;

13 (B) by redesignating paragraph (5) as
14 paragraph (6); and

15 (C) by inserting after paragraph (4) the
16 following new paragraph (5):

17 “(5) perform duties prescribed for the Chief of
18 Space Operations by sections 171 and 2547 of this
19 title and other provision of law; and”.

20 (d) REPEAL OF OFFICER CAREER FIELD FOR
21 SPACE.—Section 9083 of title 10, United States Code, is
22 repealed.

23 (e) REGULAR SPACE FORCE.—Chapter 908 of title
24 10, United States Code, as amended by subsection (d),

1 is further amended by adding at the end the following new
2 section 9083:

3 **“§ 9083. Regular Space Force: composition**

4 “(a) IN GENERAL.—The Regular Space Force is the
5 component of the Space Force that consists of persons
6 whose continuous service on active duty in both peace and
7 war is contemplated by law, and of retired members of
8 the Regular Space Force.

9 “(b) COMPOSITION.—The Regular Space Force in-
10 cludes—

11 “(1) the officers and enlisted members of the
12 Regular Space Force; and

13 “(2) the retired officers and enlisted members
14 of the Regular Space Force.”.

15 (f) TABLE OF SECTIONS.—The table of sections at
16 the beginning of chapter 908 of title 10, United States
17 Code, is amended by striking the item relating to section
18 9083 and inserting the following new item:

“9083. Regular Space Force: composition.”.

19 **SEC. 931A. OFFICE OF THE CHIEF OF SPACE OPERATIONS.**

20 (a) IN GENERAL.—Chapter 908 of title 10, United
21 States Code, as amended by section 931(e) of this Act,
22 is further amended—

23 (1) by redesignating section 9083 as section
24 9085; and

1 (2) by inserting after section 9082 the following
2 new sections:

3 **“§ 9083. Office of the Chief of Space Operations: func-**
4 **tion; composition**

5 “(a) FUNCTION.—There is in the executive part of
6 the Department of the Air Force an Office of the Chief
7 of Space Operations to assist the Secretary of the Air
8 Force in carrying out the responsibilities of the Secretary.

9 “(b) COMPOSITION.—The Office of the Chief of
10 Space Operations is composed of the following:

11 “(1) The Chief of Space Operations.

12 “(2) Such other offices and officials as may be
13 established by law or as the Secretary of the Air
14 Force may establish or designate.

15 “(3) Other members of the Space Force and
16 Air Force assigned or detailed to the Office of the
17 Chief of Space Operations.

18 “(4) Civilian employees in the Department of
19 the Air Force assigned or detailed to the Office of
20 the Chief of Space Operations.

21 “(c) ORGANIZATION.—Except as otherwise specifi-
22 cally prescribed by law, the Office of the Chief of Space
23 Operations shall be organized in such manner, and the
24 members of the Office of the Chief of Space Operations

1 shall perform such duties and have such titles, as the Sec-
2 retary of the Air Force may prescribe.

3 **“§ 9084. Office of the Chief of Space Operations: gen-
4 eral duties**

5 “(a) PROFESSIONAL ASSISTANCE.—The Office of the
6 Chief of Space Operations shall furnish professional as-
7 sistance to the Secretary of the Air Force, the Chief of
8 Space Operations, and other personnel of the Office of the
9 Secretary of the Air Force or the Office of the Chief of
10 Space Operations.

11 “(b) AUTHORITIES.—Under the authority, direction,
12 and control of the Secretary of the Air Force, the Office
13 of the Chief of Space Operations shall—

14 “(1) subject to subsections (c) and (d) of sec-
15 tion 9014 of this title, prepare for such employment
16 of the Space Force, and for such recruiting, orga-
17 nizing, supplying, equipping (including research and
18 development), training, servicing, mobilizing, de-
19 mobilizing, administering, and maintaining of the
20 Space Force, as will assist in the execution of any
21 power, duty, or function of the Secretary of the Air
22 Force or the Chief of Space Operations;

23 “(2) investigate and report upon the efficiency
24 of the Space Force and its preparation to support

1 military operations by commanders of the combatant
2 commands;

3 “(3) prepare detailed instructions for the execu-
4 tion of approved plans and supervise the execution
5 of those plans and instructions;

6 “(4) as directed by the Secretary of the Air
7 Force or the Chief of Space Operations, coordinate
8 the action of organizations of the Space Force; and

9 “(5) perform such other duties, not otherwise
10 assigned by law, as may be prescribed by the Sec-
11 retary of the Air Force.”.

12 (b) TABLE OF SECTIONS.—The table of sections at
13 the beginning of chapter 908 of such title, as amended
14 by section 931(f) of this Act, is further amended by strik-
15 ing the item related to section 9083 and inserting the fol-
16 lowing the following new items:

“9083. Office of the Chief of Space Operations: function; composition.

“9084. Office of the Chief of Space Operations: general duties.

“9085. Regular Space Force: composition.”.

17 **SEC. 932. AMENDMENTS TO DEPARTMENT OF THE AIR**
18 **FORCE PROVISIONS IN TITLE 10, UNITED**
19 **STATES CODE.**

20 (a) SUBTITLE.—

21 (1) HEADING.—The heading of subtitle D of
22 title 10, United States Code, is amended to read as
23 follows:

1 **“Subtitle D—Air Force and Space**
 2 **Force”.**

3 (2) TABLE OF SUBTITLES.—The table of sub-
 4 titles at the beginning of such title is amended is
 5 amended by striking the item relating to subtitle D
 6 and inserting the following new item:

“D. Air Force and Space Force 9011”.

7 (b) ORGANIZATION.—

8 (1) SECRETARY OF THE AIR FORCE.—Section
 9 9013 of title 10, United States Code, is amended—

10 (A) in subsection (f), by inserting “and of-
 11 ficers of the Space Force” after “Officers of the
 12 Air Force”; and

13 (B) in subsection (g)(1), by inserting “,
 14 members of the Space Force,” after “members
 15 of the Air Force”.

16 (2) OFFICE OF THE SECRETARY OF THE AIR
 17 FORCE.—Section 9014 of such title is amended—

18 (A) in subsection (b), by striking para-
 19 graph (4) and inserting the following new para-
 20 graph (4)

21 “(4) The Inspector General of the Department
 22 of the Air Force.”;

23 (B) in subsection (c)—

1 (i) in paragraph (1), by striking “and
2 the Air Staff” and inserting “, the Air
3 Staff, and the Office of the Chief of Space
4 Operations”;

5 (ii) in paragraph (2), by inserting “or
6 the Office of the Chief of Space Oper-
7 ations” after “the Air Staff”;

8 (iii) in paragraph (3), by striking “to
9 the Chief of Staff and to the Air Staff”
10 and all that follows through the end and
11 inserting “to the Chief of Staff of the Air
12 Force and the Air Staff, and to the Chief
13 of Space Operations and the Office of the
14 Chief of Space Operations, and shall en-
15 sure that each such office or entity pro-
16 vides the Chief of Staff and Chief of Space
17 Operations such staff support as the Chief
18 concerned considers necessary to perform
19 the Chief’s duties and responsibilities.”;
20 and

21 (iv) in paragraph (4)—

22 (I) by inserting “and the Office
23 of the Chief of Space Operations”
24 after “the Air Staff”; and

1 (II) by inserting “and the Chief
2 of Space Operations” after “Chief of
3 Staff”;

4 (C) in subsection (d)—

5 (i) in paragraph (1), by striking “and
6 the Air Staff” and inserting “, the Air
7 Staff, and the Office of the Chief of Space
8 Operations”;

9 (ii) in paragraph (2), by inserting
10 “and the Office of the Chief of Space Op-
11 erations” after “the Air Staff”; and

12 (iii) in paragraph (4), by striking “to
13 the Chief of Staff of the Air Force and to
14 the Air Staff” and all that follows through
15 the end and inserting “to the Chief of
16 Staff of the Air Force and the Air Staff,
17 and to the Chief of Space Operations and
18 the Office of the Chief of Space Oper-
19 ations, and shall ensure that each such of-
20 fice or entity provides the Chief of Staff
21 and Chief of Space Operations such staff
22 support as the Chief concerned considers
23 necessary to perform the Chief’s duties
24 and responsibilities.”; and

25 (D) in subsection (e)—

1 (i) by striking “and the Air Staff”
2 and inserting “, the Air Staff, and the Of-
3 fice of the Chief of Space Operations”; and

4 (ii) by striking “to the other” and in-
5 serting “to any of the others”.

6 (3) SECRETARY OF THE AIR FORCE: SUCCES-
7 SORS TO DUTIES.—Section 9017(4) of such title is
8 amended by inserting before the period the fol-
9 lowing: “of the Air Force and the Chief of Space
10 Operations, in the order prescribed by the Secretary
11 of the Air Force and approved by the Secretary of
12 Defense”.

13 (4) INSPECTOR GENERAL.—Section 9020 of
14 such title is amended—

15 (A) in subsection (a)—

16 (i) by inserting “Department of the”
17 after “Inspector General of the”; and

18 (ii) by inserting “or the general, flag,
19 or equivalent officers of the Space Force”
20 after “general officers of the Air Force”;

21 (B) in subsection (b)—

22 (i) in the matter preceding paragraph
23 (1), by striking “or the Chief of Staff” and
24 inserting “, the Chief of Staff of the Air
25 Force, or the Chief of Space Operations”;

1 (ii) in paragraph (1), by inserting
2 “Department of the” before “Air Force”;
3 and

4 (iii) in paragraph (2), by striking “or
5 the Chief of Staff” and inserting “, the
6 Chief of Staff, or the Chief of Space Oper-
7 ations” ; and

8 (C) in subsection (e), by inserting “or the
9 Space Force” before “for a tour of duty”.

10 (5) THE AIR STAFF: FUNCTION; COMPOSI-
11 TION.—Section 9031(b)(8) of such title is amended
12 by inserting “or the Space Force” after “of the Air
13 Force”.

14 (6) SURGEON GENERAL: APPOINTMENT; DU-
15 TIES.—Section 9036(b) of such title is amended—

16 (A) in paragraph (1), by striking “Sec-
17 retary of the Air Force and the Chief of Staff
18 of the Air Force on all health and medical mat-
19 ters of the Air Force” and inserting “Secretary
20 of the Air Force, the Chief of Staff of the Air
21 Force, and the Chief of Space Operations on all
22 health and medical matters of the Air Force
23 and the Space Force”; and

24 (B) in paragraph (2)—

1 (i) by inserting “and the Space
2 Force” after “of the Air Force” the first
3 place it appears; and

4 (ii) by inserting “and members of the
5 Space Force” after “of the Air Force” the
6 second place it appears.

7 (7) JUDGE ADVOCATE GENERAL, DEPUTY
8 JUDGE ADVOCATE GENERAL: APPOINTMENT; DU-
9 TIES.—Section 9037 of such title is amended—

10 (A) in subsection (e)(2)(B), by inserting
11 “or the Space Force” after “of the Air Force”;
12 and

13 (B) in subsection (f)(1), by striking “the
14 Secretary of the Air Force or the Chief of Staff
15 of the Air Force” and inserting “the Secretary
16 of the Air Force, the Chief of Staff of the Air
17 Force, or the Chief of Space Operations”.

18 (8) CHIEF OF CHAPLAINS: APPOINTMENT; DU-
19 TIES.—Section 9039(a) of such title is amended by
20 striking “in the Air Force” and inserting “for the
21 Air Force and the Space Force”.

22 (9) PROVISION OF CERTAIN PROFESSIONAL
23 FUNCTIONS FOR THE SPACE FORCE.—Section 9063
24 of such title is amended—

1 (A) in subsections (a) through (i), by strik-
 2 ing “in the Air Force” each place it appears
 3 and inserting “in the Air Force and the Space
 4 Force”; and

5 (B) in subsection (i), as amended by sub-
 6 paragraph (A), by inserting “or the Space
 7 Force” after “members of the Air Force”.

8 (c) PERSONNEL.—

9 (1) GENDER-FREE BASIS FOR ACCEPTANCE OF
 10 ORIGINAL ENLISTMENTS.—

11 (A) IN GENERAL.—Section 9132 of title
 12 10, United States Code, is amended by insert-
 13 ing “or the Regular Space Force” after “Reg-
 14 ular Air Force”.

15 (B) HEADING.—The heading of such sec-
 16 tion 9132 is amended to read as follows:

17 **“§ 9132. Regular Air Force and Regular Space Force:**
 18 **gender-free basis for acceptance of origi-**
 19 **nal enlistments”.**

20 (C) TABLE OF SECTIONS.—The table of
 21 sections at the beginning of chapter 913 of such
 22 title is amended by striking the item relating to
 23 section 9132 and inserting the following new
 24 item:

“9132. Regular Air Force and Regular Space Force: gender-free basis for ac-
 ceptance of original enlistments.”.

1 (2) REENLISTMENT AFTER SERVICE AS AN OF-
2 FICER.—

3 (A) IN GENERAL.—Section 9138 of such
4 title is amended in subsection (a)—

5 (i) by inserting “or the Regular Space
6 Force” after “Regular Air Force” both
7 places it appears; and

8 (ii) by inserting “or the Space Force”
9 after “officer of the Air Force” both places
10 it appears.

11 (B) HEADING.—The heading of such sec-
12 tion 9132 is amended to read as follows:

13 “§ 9132. **Regular Air Force and Regular Space Force:**
14 **reenlistment after service as an officer”.**

15 (C) TABLE OF SECTIONS.—The table of
16 sections at the beginning of chapter 913 of such
17 title, as amended by paragraph (1)(C), is fur-
18 ther by striking the item relating to section
19 9138 and inserting the following new item:

 “9138. Regular Air Force and Regular Space Force: reenlistment after service
 as an officer.”.

20 (3) APPOINTMENTS IN THE REGULAR AIR
21 FORCE AND REGULAR SPACE FORCE.—

22 (A) IN GENERAL.—Section 9160 of such
23 title is amended—

1 (i) by inserting “or the Regular Space
2 Force” after “Regular Air Force”; and

3 (ii) by inserting “or the Space Force”
4 before the period.

5 (B) CHAPTER HEADING.—The heading of
6 chapter 915 of such title is amended to read as
7 follows:

8 **“CHAPTER 915—APPOINTMENTS IN THE**
9 **REGULAR AIR FORCE AND THE REG-**
10 **ULAR SPACE FORCE”.**

11 (C) TABLES OF CHAPTERS.—The table of
12 chapters at the beginning of subtitle D of such
13 title, and at the beginning of part II of subtitle
14 D of such title, are each amended by striking
15 the item relating to chapter 915 and inserting
16 the following new item:

“915. Appointments in the Regular Air Force and the
Regular Space Force 9151”.

17 (4) RETIRED COMMISSIONED OFFICERS: STA-
18 TUS.—Section 9203 of such title is amended by in-
19 serting “or the Space Force” after “the Air Force”.

20 (5) DUTIES: CHAPLAINS; ASSISTANCE RE-
21 QUIRED OF COMMANDING OFFICERS.—Section
22 9217(a) of such title is amended by inserting “or the
23 Space Force” after “the Air Force”.

1 (6) RANK: COMMISSIONED OFFICERS SERVING
2 UNDER TEMPORARY APPOINTMENTS.—Section 9222
3 of such title is amended by inserting “or the Space
4 Force” after “the Air Force” both places it appears.

5 (7) REQUIREMENT OF EXEMPLARY CONDUCT.—
6 Section 9233 of such title is amended—

7 (A) in the matter preceding paragraph (1),
8 by inserting “and in the Space Force” after
9 “the Air Force”; and

10 (B) in paragraphs (3) and (4), by inserting
11 “or the Space Force, respectively” after “the
12 Air Force”.

13 (8) ENLISTED MEMBERS: OFFICERS NOT TO
14 USE AS SERVANTS.—Section 9239 of such title is
15 amended by inserting “or the Space Force” after
16 “Air Force” both places it appears.

17 (9) PRESENTATION OF UNITED STATES FLAG
18 UPON RETIREMENT.—Section 9251(a) of such title
19 is amended by inserting “or the Space Force” after
20 “member of the Air Force”.

21 (10) SERVICE CREDIT: REGULAR ENLISTED
22 MEMBERS; SERVICE AS AN OFFICER TO BE COUNTED
23 AS ENLISTED SERVICE.—Section 9252 of such title
24 is amended—

1 (A) by inserting “or the Regular Space
2 Force” after “Regular Air Force”; and

3 (B) by inserting “in the Space Force,”
4 after “in the Air Force,”.

5 (11) WHEN SECRETARY MAY REQUIRE HOS-
6 PITALIZATION.—Section 9263 of such title is amend-
7 ed by inserting “or the Space Force” after “member
8 of the Air Force”.

9 (12) DECORATIONS AND AWARDS.—

10 (A) IN GENERAL.—Chapter 937 of such
11 title is amended by inserting “or the Space
12 Force” after “the Air Force” each place it ap-
13 pears in the following provisions:

14 (i) Section 9271.

15 (ii) Section 9272.

16 (iii) Section 9273.

17 (iv) Section 9276.

18 (v) Section 9281 other than the first
19 place it appears in subsection (a).

20 (vi) Section 9286(a) other than the
21 first place it appears.

22 (B) MEDAL OF HONOR; AIR FORCE CROSS;
23 DISTINGUISHED-SERVICE MEDAL: DELEGATION
24 OF POWER TO AWARD.—Section 9275 of such
25 title is amended by inserting before the period

1 at the end the following: “, or to an equivalent
2 commander of a separate space force or higher
3 unit in the field”.

4 (13) TWENTY YEARS OR MORE: REGULAR OR
5 RESERVE COMMISSIONED OFFICERS.—Section
6 9311(a) of such title is amended by inserting “or the
7 Space Force” after “officer of the Air Force”.

8 (14) TWENTY TO THIRTY YEARS: ENLISTED
9 MEMBERS.—Section 9314 of such title is amended
10 by inserting “or the Space Force” after “member of
11 the Air Force”.

12 (15) THIRTY YEARS OR MORE: REGULAR EN-
13 LISTED MEMBERS.—Section 9317 of such title is
14 amended by inserting “or the Space Force” after
15 “Air Force”.

16 (16) THIRTY YEARS OR MORE: REGULAR COM-
17 MISSIONED OFFICERS.—Section 9318 of such title is
18 amended by inserting “or the Space Force” after
19 “Air Force”.

20 (17) FORTY YEARS OR MORE: AIR FORCE OFFI-
21 CERS.—

22 (A) IN GENERAL.—Section 9324 of such
23 title is amended in subsections (a) and (b) by
24 inserting “or the Space Force” after “Air
25 Force”.

1 (B) HEADING.—The heading of such sec-
 2 tion 9324 is amended to read as follows:

3 **“§ 9324. Forty years or more: Air Force officers and**
 4 **Space Force officers”.**

5 (C) TABLE OF SECTIONS AMENDMENT.—
 6 The table of sections at the beginning of chap-
 7 ter 941 of such title is amended by striking the
 8 item relating to section 9324 and inserting the
 9 following new item:

“9324. Forty years or more: Air Force officers and Space Force officers.”.

10 (18) COMPUTATION OF YEARS OF SERVICE:
 11 VOLUNTARY RETIREMENT; ENLISTED MEMBERS.—
 12 Section 9325(a) of such title is amended by insert-
 13 ing “or the Space Force” after “Air Force”.

14 (19) COMPUTATION OF YEARS OF SERVICE:
 15 VOLUNTARY RETIREMENT; REGULAR AND RESERVE
 16 COMMISSIONED OFFICERS.—

17 (A) IN GENERAL.—Section 9326(a) of
 18 such title is amended—

19 (i) in the matter preceding paragraph
 20 (1), by inserting “or the Space Force”
 21 after “of the Air Force”; and

22 (ii) in paragraph (1), by striking “or
 23 the Air Force” and inserting “, the Air
 24 Force, or the Space Force”.

1 (B) TECHNICAL AMENDMENTS.—Such sec-
2 tion 9326(a) is further amended by striking
3 “his” each place it appears and inserting “the
4 officer’s”.

5 (20) COMPUTATION OF RETIRED PAY: LAW AP-
6 PLICABLE.—Section 9329 of such title is amended
7 by inserting “or the Space Force” after “Air
8 Force”.

9 (21) RETIRED GRADE.—

10 (A) HIGHER GRADE AFTER 30 YEARS OF
11 SERVICE: WARRANT OFFICERS AND ENLISTED
12 MEMBERS.—Section 9344 of such title is
13 amended—

14 (i) in subsection (a), by inserting “or
15 the Space Force” after “member of the Air
16 Force”; and

17 (ii) in subsection (b)—

18 (I) in paragraphs (1) and (3), by
19 inserting “or the Space Force” after
20 “Air Force” each place it appears;
21 and

22 (II) in paragraph (2), by insert-
23 ing “or the Regular Space Force”
24 after “Regular Air Force”.

1 (B) RESTORATION TO FORMER GRADE: RE-
2 TIRED WARRANT OFFICERS AND ENLISTED
3 MEMBERS.—Section 9345 of such title is
4 amended by inserting “or the Space Force”
5 after “member of the Air Force”.

6 (C) RETIRED LISTS.—Section 9346 of
7 such title is amended—

8 (i) in subsections (a) and (d), by in-
9 serting “or the Regular Space Force” after
10 “Regular Air Force”;

11 (ii) in subsection (b)(1), by inserting
12 before the semicolon the following: “, or
13 for commissioned officers of the Space
14 Force other than of the Regular Space
15 Force”; and

16 (iii) in subsections (b)(2) and (e), by
17 inserting “or the Space Force” after “Air
18 Force”.

19 (22) RECOMPUTATION OF RETIRED PAY TO RE-
20 FLECT ADVANCEMENT ON RETIRED LIST.—Section
21 9362(a) of such title is amended by inserting “or the
22 Space Force” after “Air Force”.

23 (23) FATALITY REVIEWS.—Section 9381(a) of
24 such title is amended in paragraphs (1), (2), and (3)

1 by inserting “or the Space Force” after “Air
2 Force”.

3 (d) TRAINING.—

4 (1) MEMBERS OF AIR FORCE: DETAIL AS STU-
5 DENTS, OBSERVERS, AND INVESTIGATORS AT EDU-
6 CATIONAL INSTITUTIONS, INDUSTRIAL PLANTS, AND
7 HOSPITALS.—

8 (A) IN GENERAL.—Section 9401 of title
9 10, United States Code, is amended—

10 (i) in subsection (a), by inserting
11 “and members of the Space Force” after
12 “members of the Air Force”;

13 (ii) in subsection (b), by inserting “or
14 the Regular Space Force” after “Regular
15 Air Force”;

16 (iii) in subsection (c), by inserting “or
17 Reserve of the Space Force” after “Re-
18 serve of the Air Force”;

19 (iv) in subsection (e), by inserting “or
20 the Space Force” after “Air Force”; and

21 (v) in subsection (f)—

22 (I) by inserting “or the Regular
23 Space Force” after “Regular Air
24 Force”; and

1 (II) by inserting “or the Space
2 Force Reserve” after “the reserve
3 components of the Air Force”.

4 (B) TECHNICAL AMENDMENTS.—Sub-
5 section (c) of such section 9401 is further
6 amended—

7 (i) by striking “his” and inserting
8 “the Reserve’s”; and

9 (ii) by striking “he” and inserting
10 “the Reserve”,

11 (C) HEADING.—The heading of such sec-
12 tion 9401 is amended to read as follows:

13 **“§ 9401. Members of Air Force and Space Force: de-
14 tail as students, observers and investiga-
15 tors at educational institutions, indus-
16 trial plants, and hospitals”.**

17 (D) TABLE OF SECTIONS.—The table of
18 sections at the beginning of chapter 951 of such
19 title is amended by striking the item relating to
20 section 9401 and inserting the following new
21 item:

“9401. Members of Air Force and Space Force: detail as students, observers,
and investigators at educational institutions, industrial plants,
and hospitals.”.

22 (2) ENLISTED MEMBERS OF AIR FORCE:
23 SCHOOLS.—

1 (A) IN GENERAL.—Section 9402 of such
2 title is amended—

3 (i) in subsection (a)—

4 (I) in the first sentence, by in-
5 serting “and enlisted members of the
6 Space Force” after “members of the
7 Air Force”; and

8 (II) in the third sentence, by in-
9 serting “and Space Force officers”
10 after “Air Force officers”; and

11 (ii) in subsection (b), by inserting “or
12 the Space Force” after “Air Force” each
13 place it appears.

14 (B) HEADING.—The heading of such sec-
15 tion 9402 is amended to read as follows:

16 **“§ 9402. Enlisted members Air Force or Space Force:
17 schools”.**

18 (C) TABLE OF SECTIONS.—The table of
19 sections at the beginning of chapter 951 of such
20 title is amended by striking the item relating to
21 section 9402 and inserting the following new
22 item:

“9402. Enlisted members of Air Force or Space Force: schools.”.

23 (3) SERVICE SCHOOLS: LEAVES OF ABSENCE
24 FOR INSTRUCTORS.—Section 9406 of such title is

1 amended by inserting “or Space Force” after “Air
2 Force”.

3 (4) DEGREE GRANTING AUTHORITY FOR
4 UNITED STATES AIR FORCE INSTITUTE OF TECH-
5 NOLOGY.—Section 9414(d)(1) of such title is
6 amended by inserting “or the Space Force” after
7 “needs of the Air Force”.

8 (5) UNITED STATES AIR FORCE INSTITUTE OF
9 TECHNOLOGY: ADMINISTRATION.—Section
10 9414b(a)(2) is amended—

11 (A) by inserting “or the Space Force”
12 after “the Air Force” each place it appears;
13 and

14 (B) in subparagraph (B), by inserting “or
15 the equivalent grade in the Space Force” after
16 “brigadier general”.

17 (6) COMMUNITY COLLEGE OF THE AIR FORCE:
18 ASSOCIATE DEGREES.—Section 9415 of such title is
19 amended—

20 (A) in subsection (a) in the matter pre-
21 ceding paragraph (1), by striking “in the Air
22 Force” and inserting “in the Department of the
23 Air Force”; and

24 (B) in subsection (b)—

1 (i) in paragraph (1), by inserting “or
2 the Space Force” after “Air Force”;

3 (ii) in paragraph (2), by striking
4 “other than” and all that follows through
5 the end and inserting “other than the Air
6 Force or the Space Force who are serving
7 as instructors at Department of the Air
8 Force training schools.”; and

9 (iii) in paragraph (3), by inserting “or
10 the Space Force” after “Air Force”.

11 (7) AIR FORCE ACADEMY ESTABLISHMENT; SU-
12 PERINTENDENT; FACULTY.—Section 9431(a) of such
13 title is amended by striking “Air Force cadets” and
14 inserting “cadets”.

15 (8) AIR FORCE ACADEMY SUPERINTENDENT;
16 FACULTY: APPOINTMENT AND DETAIL.—Section
17 9433(a) of such title is amended by inserting “or the
18 Space Force” after “Air Force”.

19 (9) AIR FORCE ACADEMY PERMANENT PROFES-
20 SORS; DIRECTOR OF ADMISSIONS.—

21 (A) IN GENERAL.—Section 9436 of such
22 title is amended—

23 (i) in subsection (a)—

24 (I) in the first sentence, by in-
25 serting “in the Air Force or the equiv-

1 alent grade in the Space Force” after
2 “colonel”;

3 (II) in the second sentence, by
4 inserting “and a permanent professor
5 appointed from the Regular Space
6 Force has the grade equivalent to the
7 grade of colonel in the Regular Air
8 Force” after “grade of colonel”; and

9 (III) in the third sentence, by in-
10 serting “in the Air Force or the equiv-
11 alent grade in the Space Force” after
12 “lieutenant colonel”; and

13 (ii) in subsection (b)—

14 (I) in the first sentence, “in the
15 Air Force or the equivalent grade in
16 the Space Force” after “colonel” each
17 place it appears; and

18 (II) in the second sentence, by
19 inserting “and a person appointed
20 from the Regular Space Force has the
21 grade equivalent to the grade of colo-
22 nel in the Regular Air Force” after
23 “grade of colonel”.

24 (B) TECHNICAL AMENDMENTS.—Sub-
25 sections (a) and (b) of such section 9436 are

1 further amended by striking “he” each place it
2 appears and inserting “such person”.

3 (10) CADETS: APPOINTMENT; NUMBERS, TERRI-
4 TORIAL DISTRIBUTION.—

5 (A) IN GENERAL.—Section 9442 of such
6 title is amended—

7 (i) by striking “Air Force Cadets”
8 each place it appears and inserting “ca-
9 dets”; and

10 (ii) in subsection (b)(2), by inserting
11 “or the Regular Space Force” after “Reg-
12 ular Air Force”.

13 (B) TECHNICAL AMENDMENT.—Subsection
14 (b)(4) of such section 9442 is amended by
15 striking “him” and inserting “the Secretary”.

16 (11) CADETS: AGREEMENT TO SERVE AS OFFI-
17 CER.—Section 9448(a) of such title is amended—

18 (A) in paragraph (2)(A), by inserting “or
19 the Regular Space Force” after “Regular Air
20 Force”; and

21 (B) in paragraph (3)(A), by inserting be-
22 fore the semicolon the following: “or as a Re-
23 serve in the Space Force for service in the
24 Space Force Reserve”.

1 (12) CADETS: ORGANIZATION; SERVICE; IN-
2 STRUCTION.—Section 9449 of such title is amended
3 by striking subsection (d).

4 (13) CADETS: HAZING.—Section 9452(c) of
5 such title is amended—

6 (A) by striking “an Air Force cadet” and
7 inserting “a cadet”; and

8 (B) by striking “or Marine Corps” and in-
9 serting “Marine Corps, or Space Force”.

10 (14) CADETS: DEGREE AND COMMISSION ON
11 GRADUATION.—Section 9453(b) of such title is
12 amended by inserting “or in the equivalent grade in
13 the Regular Space Force” after “Regular Air
14 Force”.

15 (15) SUPPORT OF ATHLETIC PROGRAMS.—Sec-
16 tion 9462(c)(2) of such title is amended by striking
17 “personnel of the Air Force” and inserting “per-
18 sonnel of the Department of the Air Force”.

19 (16) SCHOOLS AND CAMPS: ESTABLISHMENT:
20 PURPOSE.—Section 9481 of such title is amended—

21 (A) by inserting “, the Space Force,” after
22 “members of the Air Force,”; and

23 (B) by inserting “or the Space Force Re-
24 serve” after “the Air Force Reserve”.

1 (17) SCHOOLS AND CAMPS: OPERATION.—Sec-
2 tion 9482 of such title is amended—

3 (A) in paragraph (4), by inserting “or the
4 Regular Space Force” after “Regular Air
5 Force”; and

6 (B) in paragraph (7), in the matter pre-
7 ceding subparagraph (A), by inserting “or
8 Space Force” after “Air Force”.

9 (e) SERVICE, SUPPLY, AND PROCUREMENT.—

10 (1) EQUIPMENT: BAKERIES, SCHOOLS, KITCH-
11 ENS, AND MESS HALLS.—Section 9536 of title 10,
12 United States Code, is amended in the matter pre-
13 ceding paragraph (1) by inserting “or the Space
14 Force” after “the Air Force”.

15 (2) RATIONS.—Section 9561 of such title is
16 amended—

17 (A) in subsection (a)—

18 (i) in the first sentence, by inserting
19 “and the Space Force ration” after “the
20 Air Force ration”; and

21 (ii) in the second sentence, by insert-
22 ing “or the Space Force” after “the Air
23 Force”; and

24 (B) in subsection (b), by inserting “or the
25 Space Force” after “the Air Force”.

1 (3) CLOTHING.—Section 9562 of such title is
2 amended by inserting “and members of the Space
3 Force” after “the Air Force”.

4 (4) CLOTHING: REPLACEMENT WHEN DE-
5 STROYED TO PREVENT CONTAGION.—Section 9563
6 of such title is amended by inserting “or the Space
7 Force” after “member of the Air Force”.

8 (5) COLORS, STANDARDS, AND GUIDONS OF DE-
9 MOBILIZED ORGANIZATIONS: DISPOSITION.—Section
10 9565 of such title is amended—

11 (A) in subsection (a), in the matter pre-
12 ceding paragraph (1), by inserting “or the
13 Space Force” after “organizations of the Air
14 Force”; and

15 (B) in subsection (b), by inserting “or the
16 Space Force” after “the Air Force”.

17 (6) UTILITIES: PROCEEDS FROM OVERSEAS OP-
18 ERATIONS.—Section 9591 of such title is amended
19 by inserting “or the Space Force” after “the Air
20 Force”.

21 (7) QUARTERS: HEAT AND LIGHT.—Section
22 9593 of such title is amended by inserting “and
23 members of the Space Force” after “the Air Force”.

1 (8) AIR FORCE MILITARY HISTORY INSTITUTE:
2 FEE FOR PROVIDING HISTORICAL INFORMATION TO
3 THE PUBLIC.—

4 (A) IN GENERAL.—Section 9594 of such
5 title is amended—

6 (i) in subsections (a) and (d), by in-
7 serting “Department of the” before “Air
8 Force Military History” each place it ap-
9 pears; and

10 (ii) in subsection (e)(1)—

11 (I) by inserting “Department of
12 the” before “Air Force Military His-
13 tory”; and

14 (II) by inserting “and the Space
15 Force” after “materials of the Air
16 Force”.

17 (B) HEADING.—The heading of such sec-
18 tion 9594 is amended to read as follows:

19 **“§ 9594. Department of the Air Force Military History**
20 **Institute: fee for providing historical in-**
21 **formation to the public”.**

22 (C) TABLE OF SECTIONS.—The table of
23 sections at the beginning of chapter 967 of such
24 title is amended by striking the item relating to

1 section 9594 and inserting the following new
2 item:

“9594. Department of the Air Force Military History Institute: fee for providing historical information to the public.”.

3 (9) SUBSISTENCE AND OTHER SUPPLIES: MEM-
4 BERS OF ARMED FORCES; VETERANS; EXECUTIVE OR
5 MILITARY DEPARTMENTS AND EMPLOYEES;
6 PRICES.—Section 9621 of such title is amended—

7 (A) in subsection (a)—

8 (i) in paragraph (1), by inserting
9 “and members of the Space Force” after
10 “the Air Force”; and

11 (ii) in paragraph (2), by inserting
12 “and officers of the Space Force” after
13 “the Air Force”;

14 (B) in subsection (b), by inserting “or the
15 Space Force” after “the Air Force”;

16 (C) in subsection (c), by inserting “or the
17 Space Force” after “the Air Force”;

18 (D) in subsection (d), by striking “or Ma-
19 rine Corps” and inserting “Marine Corps, or
20 Space Force”;

21 (E) in subsection (e)—

22 (i) by inserting “or the Space Force”
23 after “the Air Force” the first place it ap-
24 pears; and

1 (ii) by inserting “or the Space Force,
2 respectively” after “the Air Force” the sec-
3 ond place it appears;

4 (F) in subsection (f), by inserting “or the
5 Space Force” after “the Air Force”; and

6 (G) in subsection (h)—

7 (i) by inserting “or the Space Force”
8 after “the Air Force” the first place it ap-
9 pears; and

10 (ii) by inserting “or members of the
11 Space Force” after “members of the Air
12 Force”.

13 (10) RATIONS: COMMISSIONED OFFICERS IN
14 FIELD.—Section 9622 of such title is amended by
15 inserting “and commissioned officers of the Space
16 Force” after “officers of the Air Force”.

17 (11) MEDICAL SUPPLIES: CIVILIAN EMPLOYEES
18 OF THE AIR FORCE.—Section 9624(a) of such title
19 is amended—

20 (A) by striking “air base” and inserting
21 “Air Force or Space Force military installa-
22 tion”; and

23 (B) by striking “Air Force when” and in-
24 serting “Department of the Air Force when”.

1 (12) ORDNANCE PROPERTY: OFFICERS OF
2 ARMED FORCES; CIVILIAN EMPLOYEES OF AIR
3 FORCE.—

4 (A) IN GENERAL.—Section 9625 of such
5 title is amended—

6 (i) in subsection (a), by inserting “or
7 the Space Force” after “officers of the Air
8 Force”; and

9 (ii) in subsection (b), by striking “the
10 Air Force” and inserting “the Department
11 of the Air Force”.

12 (B) HEADING.—The heading of such sec-
13 tion is amended to read as follows:

14 **“§ 9625. Ordnance property: officers of the armed**
15 **forces; civilian employees of the Depart-**
16 **ment of the Air Force; American National**
17 **Red Cross; educational institutions;**
18 **homes for veterans’ orphans”.**

19 (C) TABLE OF SECTIONS.—The table of
20 sections at the beginning of chapter 969 of such
21 title is amended by striking the item relating to
22 section 9625 and inserting the following new
23 item:

“9625. Ordnance property: officers of the armed forces; civilian employees of the
Department of the Air Force; American National Red Cross;
educational institutions; homes for veterans’ orphans.”.

1 (13) SUPPLIES: EDUCATIONAL INSTITUTIONS.—

2 Section 9627 of such title is amended—

3 (A) by inserting “or the Space Force”
4 after “for the Air Force”;

5 (B) by inserting “or the Space Force”
6 after “officer of the Air Force”; and

7 (C) by striking “air science and tactics”
8 and inserting “science and tactics”.

9 (14) SUPPLIES: MILITARY INSTRUCTION
10 CAMPS.—Section 9654 of such title is amended—

11 (A) by inserting “or Space Force” after
12 “an Air Force”; and

13 (B) by striking “air science and tactics”
14 and inserting “science and tactics”.

15 (15) DISPOSITION OF EFFECTS OF DECEASED
16 PERSONS BY SUMMARY COURT-MARTIAL.—Section
17 9712(a)(1) of such title is amended by inserting “or
18 the Space Force” after “the Air Force”.

19 (16) ACCEPTANCE OF DONATIONS: LAND FOR
20 MOBILIZATION, TRAINING, SUPPLY BASE, OR AVIA-
21 TION FIELD.—

22 (A) IN GENERAL.—Section 9771 of such
23 title is amended in paragraph (2) by inserting
24 “or space mission-related facility” after “avia-
25 tion field”.

1 (B) HEADING.—The heading of such sec-
 2 tion 9771 is amended to read as follows:

3 **“§ 9771. Acceptance of donations: land for mobiliza-
 4 tion, training, supply base, aviation field,
 5 or space mission-related facility”.**

6 (C) TABLE OF SECTIONS.—The table of
 7 sections at the beginning of chapter 979 of such
 8 title is amended by striking the item relating to
 9 section 9771 and inserting the following new
 10 item:

“9771. Acceptance of donations: land for mobilization, training, supply base,
 aviation field, or space mission-related facility.”.

11 (17) ACQUISITION AND CONSTRUCTION: AIR
 12 BASES AND DEPOTS.—

13 (A) IN GENERAL.—Section 9773 of such
 14 title is amended—

15 (i) in subsection (a)—

16 (I) by striking “permanent air
 17 bases” and inserting “permanent Air
 18 Force and Space Force military in-
 19 stallations”;

20 (II) by striking “existing air
 21 bases” and inserting “existing instal-
 22 lations”; and

1 (III) by inserting “or the Space
2 Force” after “training of the Air
3 Force”;

4 (ii) in subsections (b) and (c), by
5 striking “air bases” each place it appears
6 and inserting “installations”;

7 (iii) in subsection (b)(7), by inserting
8 “or Space Force” after “Air Force”;

9 (iv) in subsection (c)—

10 (I) in paragraph (1), by inserting
11 “or Space Force” after “Air Force”;
12 and

13 (II) in paragraphs (3) and (4),
14 by inserting “or the Space Force”
15 after “the Air Force” both places it
16 appears; and

17 (v) in subsection (f), by striking “air
18 base” and inserting “installation”.

19 (B) HEADING.—The heading of such sec-
20 tion 9773 is amended to read as follows:

21 **“§ 9773. Acquisition and construction: installations
22 and depots”.**

23 (C) TABLE OF SECTIONS.—The table of
24 sections at the beginning of chapter 979 of such
25 title is amended by striking the item relating to

1 section 9773 and inserting the following new
2 item:

“9773. Acquisition and construction: installations and depots.”.

3 (18) EMERGENCY CONSTRUCTION: FORTIFICA-
4 TIONS.—Section 9776 of such title is amended by
5 striking “air base” and inserting “installation”.

6 (19) USE OF PUBLIC PROPERTY.—Section 9779
7 of such title is amended—

8 (A) in subsection (a), by inserting “or the
9 Space Force” after “economy of the Air
10 Force”; and

11 (B) in subsection (b), by inserting “or the
12 Space Force” after “support of the Air Force”.

13 (20) DISPOSITION OF REAL PROPERTY AT MIS-
14 SILE SITES.—Section 9781(a)(2) of such title is
15 amended—

16 (A) in the matter preceding subparagraph
17 (A), by striking “Air Force” and inserting “De-
18 partment of the Air Force”;

19 (B) in subparagraph (A), by striking “Air
20 Force” the first two places it appears and in-
21 serting “Department of the Air Force”; and

22 (C) in subparagraph (C), by striking “Air
23 Force” and inserting “Department of the Air
24 Force”.

1 (21) MAINTENANCE AND REPAIR OF REAL
2 PROPERTY.—Section 9782 of such title is amended
3 in subsections (c) and (d) by inserting “or the Space
4 Force” after “the Air Force” both places it appears.

5 (22) SETTLEMENT OF ACCOUNTS: REMISSION
6 OR CANCELLATION OF INDEBTEDNESS OF MEM-
7 BERS.—Section 9837(a) of such title is amended by
8 inserting “or the Space Force” after “member of the
9 Air Force”.

10 (23) FINAL SETTLEMENT OF OFFICER’S AC-
11 COUNTS.—

12 (A) IN GENERAL.—Section 9840 of such
13 title is amended by inserting “or the Space
14 Force” after “Air Force”.

15 (B) TECHNICAL AMENDMENTS.—Such sec-
16 tion 9840 is further amended—

17 (i) by striking “he” each place it ap-
18 pears and inserting “the officer”; and

19 (ii) by striking “his” each place it ap-
20 pears and inserting “the officer’s”.

21 (24) PAYMENT OF SMALL AMOUNTS TO PUBLIC
22 CREDITORS.—Section 9841 of such title is amended
23 by inserting “or Space Force” after “official of Air
24 Force”.

1 (25) SETTLEMENT OF ACCOUNTS OF LINE OF-
2 FICERS.—Section 9842 of such title is amended by
3 inserting “or the Space Force” after “Air Force”.

4 (f) SERVICE OF INCUMBENTS IN CERTAIN POSITIONS
5 WITHOUT REAPPOINTMENT.—

6 (1) IN GENERAL.—The individual serving in a
7 position under a provision of law specified in para-
8 graph (2) as of the date of the enactment of this Act
9 may continue to serve in such position after that
10 date without further appointment as otherwise pro-
11 vided by such provision of law, notwithstanding the
12 amendment of such provision of law by subsection
13 (b).

14 (2) PROVISIONS OF LAW.—The provisions of
15 law specified in this paragraph are the provisions of
16 title 10, United States Code, as follows:

17 (A) Section 9020, relating to the Inspector
18 General of the Department of the Air Force.

19 (B) Section 9036, relating to the Surgeon
20 General of the Air Force.

21 (C) Section 9037(a), relating to the Judge
22 Advocate General of the Air Force.

23 (D) Section 9037(d), relating to the Dep-
24 uty Judge Advocate General of the Air Force.

1 (E) Section 9039, relating to the Chief of
2 Chaplains for the Air Force and the Space
3 Force.

4 **SEC. 933. AMENDMENTS TO OTHER PROVISIONS OF TITLE**
5 **10, UNITED STATES CODE.**

6 (a) DEFINITIONS.—Section 101(b)(13) of title 10,
7 United States Code, is amended in paragraph (13), by
8 striking “or Marine Corps” and inserting “Marine Corps,
9 or Space Force”.

10 (b) OTHER PROVISIONS OF SUBTITLE A.—

11 (1) SPACE FORCE I.—Subtitle A of title 10,
12 United States Code, as amended by subsection (a),
13 is further amended by striking “and Marine Corps”
14 each place it appears and inserting “Marine Corps,
15 and Space Force” in the following provisions:

16 (A) Section 116(a)(1) in the matter pre-
17 ceding subparagraph (A).

18 (B) Section 533(a)(2).

19 (C) Section 646.

20 (D) Section 661(a).

21 (E) Section 712(a).

22 (F) Section 717(c)(1).

23 (G) Subsections (c) and (d) of section 741.

24 (H) Section 743.

25 (I) Section 1111(b)(4).

1 (J) Subsections (a)(2)(A) and (c)(2)(A)(ii)
2 of section 1143.

3 (K) Section 1174(j).

4 (L) Section 1463(a)(1).

5 (M) Section 1566.

6 (N) Section 2217(c)(2).

7 (O) Section 2259(a).

8 (P) Section 2640(j).

9 (2) SPACE FORCE II.—

10 (A) IN GENERAL.—Such subtitle is further
11 amended by striking “Marine Corps,” each
12 place it appears and inserting “Marine Corps,
13 Space Force,” in the following provisions:

14 (i) Section 123(a).

15 (ii) Section 172(a).

16 (iii) Section 518.

17 (iv) Section 747.

18 (v) Section 749.

19 (vi) Section 1552(c)(1).

20 (vii) Section 2632(c)(2)(A).

21 (viii) Section 2686(a).

22 (ix) Section 2733(a).

23 (B) HEADING.—The heading of section
24 747 of such title is amended to read as follows:

1 **“§ 747. Command: when different commands of Army,**
 2 **Navy, Air Force, Marine Corps, Space**
 3 **Force, and Coast Guard join”.**

4 (C) TABLE OF SECTIONS.—The table of
 5 sections at the beginning of chapter 43 of such
 6 title is amended by striking the item relating to
 7 section 747 and inserting the following new
 8 item:

“747. Command: when different commands of Army, Navy, Air Force, Marine
 Corps, Space Force, and Coast Guard join.”.

9 (3) SPACE FORCE III.—Such subtitle is further
 10 amended by striking “or Marine Corps” each place
 11 it appears and inserting “Marine Corps, or Space
 12 Force” in the following provisions:

13 (A) Section 125(b).

14 (B) Section 541(a).

15 (C) Section 601(a).

16 (D) Section 603(a).

17 (E) Section 619(a).

18 (F) Section 619a(a).

19 (G) Section 624(c).

20 (H) Section 625(b).

21 (I) Subsections (a) and (d) of section 631.

22 (J) Section 632(a).

23 (K) Section 637(a)(2).

24 (L) Section 638(a).

- 1 (M) Section 741(d).
- 2 (N) Section 771.
- 3 (O) Section 772.
- 4 (P) Section 773.
- 5 (Q) Section 1123.
- 6 (R) Section 1143(d).
- 7 (S) Section 1174(a)(2).
- 8 (T) Section 1251(a).
- 9 (U) Section 1252(a).
- 10 (V) Section 1253(a).
- 11 (W) Section 1375.
- 12 (X) Section 1413a(h).
- 13 (Y) Section 1551.
- 14 (Z) Section 1561(a).
- 15 (AA) Section 1731(a)(1)(A)(ii).
- 16 (BB) Section 2102(a).
- 17 (CC) Section 2103a(a)(2).
- 18 (DD) Section 2104(b)(5).
- 19 (EE) Section 2107.
- 20 (FF) Section 2421.
- 21 (GG) Section 2631(a).
- 22 (HH) Section 2787(a).

23 (4) REGULAR SPACE FORCE I.—Such subtitle is
24 further amended by striking “or Regular Marine
25 Corps” each place it appears and inserting “Regular

1 Marine Corps, or Regular Space Force” in the fol-
2 lowing provisions:

3 (A) Section 531(c).

4 (B) Section 532(a) in the matter preceding
5 paragraph (1).

6 (C) Subsections (a)(1), (b)(1), and (f) of
7 section 533.

8 (D) Section 633(a).

9 (E) Section 634(a).

10 (F) Section 635.

11 (G) Section 636(a).

12 (H) Section 647(c).

13 (I) Section 688(b)(1).

14 (J) Section 1181.

15 (5) REGULAR SPACE FORCE II.—Such subtitle
16 is further amended by striking “Regular Marine
17 Corps,” each place it appears and inserting “Reg-
18 ular Marine Corps, Regular Space Force,” in the
19 following provisions:

20 (A) Section 505.

21 (B) Section 506.

22 (C) Section 508.

23 (6) TRANSFER, ETC. OF FUNCTIONS, POWERS,
24 AND DUTIES.—Section 125(b) of such title, as
25 amended by paragraph (3)(A), is further amended

1 by striking “or 9062(c)” and inserting “9062(c), or
2 9081”.

3 (7) JOINT STAFF MATTERS.—

4 (A) APPOINTMENT OF CHAIRMAN; GRADE
5 AND RANK.—Section 152 of such title is
6 amended—

7 (i) in subsection (b)(1)(C), by striking
8 “or the Commandant of the Marine Corps”
9 and inserting “the Commandant of the
10 Marine Corps, or the Chief of Space Oper-
11 ations”; and

12 (ii) in subsection (c), by striking “or,
13 in the case of the Navy, admiral” and in-
14 serting “, in the case of the Navy, admiral,
15 or, in the case of an officer of the Space
16 Force, the equivalent grade,”.

17 (B) INCLUSION OF SPACE FORCE ON JOINT
18 STAFF.—Section 155(a) of such title is amend-
19 ed—

20 (i) in paragraph (2) by inserting “the
21 Space Force and” before “the Coast
22 Guard”;

23 (ii) by redesignating paragraph (3) as
24 paragraph (4); and

1 (iii) by inserting after paragraph (2)

2 the following new paragraph (3):

3 “(3) Officers of the Space Force assigned to serve
4 on the Joint Staff shall be selected by the Chairman in
5 a number that, to the extent practicable, bears the same
6 proportion to the numbers of officers of the armed forces
7 selected under paragraph (2) as the number of Regular
8 members of the Space Force bears to the number of Reg-
9 ular members of the armed forces specified in that para-
10 graph (with the Navy and the Marine Corps treated as
11 a single armed force for purposes of this paragraph).”.

12 (8) ARMED FORCES POLICY COUNCIL.—Section
13 171(a) of such title is amended—

14 (A) in paragraph (15), by striking “and”;

15 (B) in paragraph (16), by striking the pe-
16 riod and inserting “; and”; and

17 (C) by adding at the end the following new
18 paragraph:

19 “(17) the Chief of Space Operations.”.

20 (9) JOINT REQUIREMENTS OVERSIGHT COUN-
21 CIL.—Section 181(c)(1) of such title is amended by
22 adding at the end the following new subparagraph:

23 “(F) A Space Force officer in the grade
24 equivalent to the grade of general in the Army,

1 Air Force, or Marine Corps, or admiral in the
2 Navy.”.

3 (10) UNFUNDED PRIORITIES.—Section 222a(b)
4 of such title is amended—

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

7 (B) by inserting after paragraph (4) the
8 following new paragraph:

9 “(5) The Chief of Space Operations.”.

10 (11) THEATER SECURITY COOPERATION EX-
11 PENSES.—Section 312(b)(3) of such title is amended
12 by inserting “the Chief of Space Operations,” after
13 “the Commandant of the Marine Corps,”.

14 (12) WESTERN HEMISPHERE INSTITUTE.—Sec-
15 tion 343(e)(1)(E) of such title is amended by insert-
16 ing “or Space Force” after “for the Air Force”.

17 (13) ORIGINAL APPOINTMENTS OF COMMIS-
18 SIONED OFFICERS.—Section 531(a) of such title is
19 amended—

20 (A) in paragraph (1), by striking “and in
21 the grades of ensign, lieutenant (junior grade),
22 and lieutenant in the Regular Navy” and in-
23 serting “in the grades of ensign, lieutenant
24 (junior grade), and lieutenant in the Regular

1 Navy, and in the equivalent grades in the Reg-
2 ular Space Force”; and

3 (B) in paragraph (2), by striking “and in
4 the grades of lieutenant commander, com-
5 mander, and captain in the Regular Navy” and
6 inserting “in the grades of lieutenant com-
7 mander, commander, and captain in the Reg-
8 ular Navy, and in the equivalent grades in the
9 Regular Space Force”.

10 (14) SERVICE CREDIT UPON ORIGINAL AP-
11 POINTMENT AS A COMMISSIONED OFFICER.—Section
12 533(b)(2) of such title is amended by striking “or
13 captain in the Navy” and inserting “, captain in the
14 Navy, or an equivalent grade in the Space Force”.

15 (15) SENIOR JOINT OFFICER POSITIONS: REC-
16 OMMENDATIONS TO THE SECRETARY OF DE-
17 FENSE.—Section 604(a)(1)(A) of such title is
18 amended by inserting “and the name of at least one
19 Space Force officer” after “Air Force officer”.

20 (16) FORCE SHAPING AUTHORITY.—Section
21 647(a)(2) of such title is amended by striking “of
22 that armed force”.

23 (17) MEMBERS: REQUIRED SERVICE.—Section
24 651(b) of such title is amended by striking “of his
25 armed force”.

1 (18) CAREER FLEXIBILITY TO ENHANCE RE-
 2 TENTION OF MEMBERS.—Section 710(c)(1) of such
 3 title is amended by striking “the armed force con-
 4 cerned” and inserting “an armed force”.

5 (19) SENIOR MEMBERS OF MILITARY STAFF
 6 COMMITTEE OF UNITED NATIONS.—Section 711 of
 7 such title is amended by inserting “or the Space
 8 Force” after “Air Force”.

9 (20) RANK: CHIEF OF SPACE OPERATIONS.—

10 (A) IN GENERAL.—Section 743 of such
 11 title is amended by striking “and the Com-
 12 mandant of the Marine Corps” and inserting
 13 “the Commandant of the Marine Corps, and
 14 the Chief of Space Operations”.

15 (B) HEADING.—The heading of such sec-
 16 tion 743 is amended to read as follows:

17 **“§ 743. Rank: Chief of Staff of the Army; Chief of**
 18 **Naval Operations; Chief of Staff of the**
 19 **Air Force; Commandant of the Marine**
 20 **Corps; Chief of Space Operations”.**

21 (C) TABLE OF SECTIONS.—The table of
 22 sections at the beginning of chapter 43 of such
 23 title is amended by striking the item relating to
 24 section 743 and inserting the following new
 25 item:

“743. Rank: Chief of Staff of the Army; Chief of Naval Operations; Chief of Staff of the Air Force; Commandant of the Marine Corps; Chief of Space Operations.”.

1 (21) UNIFORM CODE OF MILITARY JUSTICE.—

2 Chapter 47 of such title (the Uniform Code of Military Justice) is amended—

3 (A) in section 822(a)(7) (article 22(a)(7)),
4 by striking “Marine Corps” and inserting “Marine Corps, or the commanding officer of a corresponding unit of the Space Force”;

5 (B) in section 823(a) (article 23(a))—

6 (i) in paragraph (2)—

7 (I) by striking “Air Force base”
8 and inserting “Air Force or Space
9 Force military installation”; and

10 (II) by striking “or the Air
11 Force” and inserting “the Air Force,
12 or the Space Force”; and

13 (ii) in paragraph (4), by inserting “or
14 a corresponding unit of the Space Force”
15 after “Air Force”; and

16 (C) in section 824(a)(3) (article 24(a)(3)),
17 by inserting “or a corresponding unit of the
18 Space Force” after “Air Force”.

19 (22) SERVICE AS CADET OR MIDSHIPMAN NOT
20 COUNTED FOR LENGTH OF SERVICE.—Section
21 971(b)(2) of such title is amended by striking “or
22 23 24

1 Air Force” and inserting “, Air Force, or Space
2 Force”.

3 (23) REFERRAL BONUS.—Section 1030(h)(3) of
4 such title is amended by inserting “and the Space
5 Force” after “concerning the Air Force”.

6 (24) RETURN TO ACTIVE DUTY FROM TEM-
7 PORARY DISABILITY.—Section 1211(a) of such title
8 is amended—

9 (A) in the matter preceding paragraph (1),
10 by striking “or the Air Force” and inserting “,
11 the Air Force, or the Space Force”; and

12 (B) in paragraph (6)—

13 (i) by striking “or the Air Force,
14 who” and inserting “the Air Force, or the
15 Space Force who”; and

16 (ii) by striking “or the Air Force, as”
17 and inserting “the Air Force, or the Space
18 Force, as”.

19 (25) YEARS OF SERVICE.—Section 1405(c) of
20 such title is amended by striking “or Air Force” and
21 inserting “, Air Force, or Space Force”.

22 (26) RETIRED PAY BASE FOR PERSONS WHO
23 BECAME MEMBERS BEFORE SEPTEMBER 8, 1980.—
24 Section 1406 of such title is amended—

1 (A) in the heading of subsection (e), by in-
 2 serting “AND SPACE FORCE” after “AIR
 3 FORCE”; and

4 (B) in subsection (i)(3)—

5 (i) in subparagraph (A)—

6 (I) by redesignating clause (v) as
 7 clause (vi); and

8 (II) by inserting after clause (iv)
 9 the following new clause (v):

10 “(v) Chief of Space Operations.”; and

11 (ii) in subparagraph (B)—

12 (I) by redesignating clause (v) as
 13 clause (vi); and

14 (II) by inserting after clause (iv)
 15 the following new clause (v):

16 “(v) The senior enlisted advisor of the
 17 Space Force.”.

18 (27) SPECIAL REQUIREMENTS FOR MILITARY
 19 PERSONNEL IN THE ACQUISITION FIELD.—

20 (A) IN GENERAL.—Section 1722a(a) of
 21 such title is amended by striking “and the
 22 Commandant of the Marine Corps (with respect
 23 to the Army, Navy, Air Force, and Marine
 24 Corps, respectively)” and inserting “, the Com-
 25 mandant of the Marine Corps, and the Chief of

1 Space Operations (with respect to the Army,
2 Navy, Air Force, Marine Corps, and Space
3 Force, respectively)”.

4 (B) CLARIFYING AMENDMENT.—Such sec-
5 tion 1722a(a) is further amended by striking
6 “the Under Secretary of Defense for Acquisi-
7 tion, Technology, and Logistics” and inserting
8 “the Under Secretary of Defense for Acquisi-
9 tion and Sustainment”.

10 (28) SENIOR MILITARY ACQUISITION ADVI-
11 SORS.—Section 1725(e)(1)(C) of such title is
12 amended by inserting “and Space Force” before the
13 period.

14 (29) MILITARY FAMILY READINESS COUNCIL.—
15 Section 1781a(b)(1) of such title is amended by
16 striking “Marine Corps, and Air Force” each place
17 it appears and inserting “Air Force, Marine Corps,
18 and Space Force”.

19 (30) FINANCIAL ASSISTANCE PROGRAM FOR
20 SPECIALLY SELECTED MEMBERS.—Section 2107 of
21 such title is amended—

22 (A) in subsection (a)—

23 (i) by striking “or as a” and inserting
24 “, as a”; and

1 (ii) by inserting “or as an officer in
2 the equivalent grade in the Space Force”
3 after “Marine Corps,”;

4 (B) in subsection (b)—

5 (i) in paragraph (3), by striking “the
6 reserve component of the armed force in
7 which he is appointed as a cadet or mid-
8 shipman” and inserting “the reserve com-
9 ponent of an armed force”; and

10 (ii) in paragraph (5), by striking “re-
11 serve component of that armed force” each
12 place it appears and inserting “reserve
13 component of an armed force”; and

14 (C) in subsection (d), by striking “second
15 lieutenant or ensign” and inserting “second
16 lieutenant, ensign, or an equivalent grade in the
17 Space Force”.

18 (31) SPACE RAPID CAPABILITIES OFFICE.—Sec-
19 tion 2273a(d) of such title is amended by striking
20 paragraph (3).

21 (32) ACQUISITION-RELATED FUNCTIONS OF
22 CHIEFS OF THE ARMED FORCES.—Section 2547(a)
23 of such title is amended by striking “and the Com-
24 mandant of the Marine Corps” and inserting “the

1 Commandant of the Marine Corps, and the Chief of
2 Space Operations”.

3 (33) AGREEMENTS RELATED TO MILITARY
4 TRAINING, TESTING, AND OPERATIONS.—Section
5 2684a(i) of such title is amended by inserting
6 “Space Force,” before “or Defense-wide activities”
7 each place it appears.

8 (c) PROVISIONS OF SUBTITLE B.—

9 (1) IN GENERAL.—Subtitle B of title 10,
10 United States Code, is amended by striking “or Ma-
11 rine Corps” each place it appears and inserting
12 “Marine Corps, or Space Force” in the following
13 provisions:

14 (A) Section 7452(c).

15 (B) Section 7621(d).

16 (2) COMPUTATION OF YEARS OF SERVICE.—
17 Section 7326(a)(1) of such title is amended by strik-
18 ing “or the Air Force” and inserting “, the Air
19 Force, or the Space Force”.

20 (d) PROVISIONS OF SUBTITLE C.—

21 (1) CADETS; HAZING.—Section 8464(f) of title
22 10, United States Code, is amended by striking “or
23 Marine Corps” and inserting “Marine Corps, or
24 Space Force”.

25 (2) SALES PRICES.—

1 (A) IN GENERAL.—Section 8802 of such
 2 title is amended by striking “or the Air Force”
 3 and inserting “, the Air Force, or the Space
 4 Force”.

5 (B) HEADING.—The heading of such sec-
 6 tion 8802 is amended to read as follows:

7 **“§ 8802. Sales: members of Army, Air Force, and**
 8 **Space Force; prices”.**

9 (C) TABLE OF SECTIONS.—The table of
 10 sections at the beginning of chapter 879 of such
 11 title is amended by striking the item relating to
 12 section 8802 and inserting the following new
 13 item:

“8802. Sales: members of Army, Air Force, and Space Force; prices.”.

14 (3) SALES TO CERTAIN VETERANS.—Section
 15 8803 of such title is amended by striking “or the
 16 Marine Corps” and inserting “the Marine Corps, or
 17 the Space Force”.

18 (4) SUBSISTENCE AND OTHER SUPPLIES.—Sec-
 19 tion 8806(d) of such title is amended by striking “or
 20 Air Force or Marine Corps” and inserting “, Air
 21 Force, Marine Corps, or Space Force”.

22 (5) SCOPE OF CHAPTER ON PRIZE.—Section
 23 8851(a) of such title is amended by striking “or the
 24 Air Force” and inserting “, the Air Force, or the
 25 Space Force”.

1 **SEC. 934. AMENDMENTS TO PROVISIONS OF LAW RELATING**
2 **TO PAY AND ALLOWANCES.**

3 (a) DEFINITIONS.—Section 101 of title 37, United
4 States Code, is amended—

5 (1) in paragraphs (3) and (4), by inserting
6 “Space Force,” after “Marine Corps,” each place it
7 appears; and

8 (2) in paragraph (5)(C), by inserting “and the
9 Space Force” after “Air Force”.

10 (b) BASIC PAY RATES.—

11 (1) COMMISSIONED OFFICERS.—Footnote 2 of
12 the table titled “COMMISSIONED OFFICERS” in
13 section 601(c) of the John Warner National Defense
14 Authorization Act for Fiscal Year 2007 (Public Law
15 109–364; 37 U.S.C. 1009 note) is amended by in-
16 serting after “Commandant of the Marine Corps,”
17 the following: “Chief of Space Operations,”.

18 (2) ENLISTED MEMBERS.—Footnote 2 of the
19 table titled “ENLISTED MEMBERS” in section
20 601(c) of the John Warner National Defense Au-
21 thorization Act for Fiscal Year 2007 (Public Law
22 109–364; 37 U.S.C. 1009 note) is amended by in-
23 serting after “Sergeant Major of the Marine Corps,”
24 the following: “the senior enlisted advisor of the
25 Space Force,”.

1 (c) PAY GRADES: ASSIGNMENT TO; GENERAL
2 RULES.—Section 201(a) of title 37, United States Code,
3 is amended—

4 (1) by striking “(a) For the purpose” and in-
5 sserting “(a)(1) Subject to paragraph (2), for the
6 purpose”; and

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

9 “(2) For the purpose of computing their basic pay,
10 commissioned officers of the Space Force are assigned to
11 the pay grades in the table in paragraph (1) by grade or
12 rank in the Air Force that is equivalent to the grade or
13 rank in which such officers are serving in the Space
14 Force.”.

15 (d) PAY OF SENIOR ENLISTED MEMBERS.—Section
16 210(c) of title 37, United States Code, is amended—

17 (1) by redesignating paragraph (5) as para-
18 graph (6); and

19 (2) by inserting after paragraph (4) the fol-
20 lowing new paragraph (5):

21 “(5) The senior enlisted advisor of the Space
22 Force.”.

23 (e) ALLOWANCES OTHER THAN TRAVEL AND TRANS-
24 PORTATION ALLOWANCES.—

1 (1) PERSONAL MONEY ALLOWANCE.—Section
2 414 of title 37, United States Code, is amended—

3 (A) in subsection (a)(5), by inserting
4 “Chief of Space Operations,” after “Com-
5 mandant of the Marines Corps,”; and

6 (B) in subsection (b), by inserting “the
7 senior enlisted advisor of the Space Force,”
8 after “the Sergeant Major of the Marine
9 Corps,”.

10 (2) CLOTHING ALLOWANCE: ENLISTED MEM-
11 BERS.—Section 418(d) of such title is amended—

12 (A) in paragraph (1), by striking “or Ma-
13 rine Corps” and inserting “Marine Corps, or
14 Space Force”; and

15 (B) in paragraph (4), by striking “or the
16 Marine Corps” and inserting “the Marine
17 Corps, or the Space Force”.

18 (f) TRAVEL AND TRANSPORTATION ALLOWANCES:
19 PARKING EXPENSES.—Section 481i(b) of title 37, United
20 States Code, is amended by striking “or Marine Corps”
21 and inserting “Marine Corps, or Space Force”.

22 (g) LEAVE.—

23 (1) ADDITION OF SPACE FORCE.—Chapter 9 of
24 title 37, United States Code, is amended by insert-

1 ing “Space Force,” after “Marines Corps,” each
2 place it appears in the following provisions:

3 (A) Subsections (b)(1) and (e)(1) of sec-
4 tion 501.

5 (B) Section 502(a).

6 (C) Section 503(a).

7 (2) ADDITION OF REGULAR SPACE FORCE.—
8 Section 501(b)(5)(C) of such title is amended by
9 striking “or Regular Marine Corps” and inserting
10 “Regular Marine Corps, or Regular Space Force”.

11 (3) TECHNICAL AMENDMENTS.—Chapter 9 of
12 such title is further amended as follows:

13 (A) In section 501(b)(1)—

14 (i) by striking “his” each place it ap-
15 pears and inserting “the member’s”; and

16 (ii) by striking “he” and inserting
17 “the member”.

18 (B) In section 502—

19 (i) by striking “his designated rep-
20 resentative” each place it appears and in-
21 serting “the Secretary’s designated rep-
22 resentative”;

23 (ii) in subsection (a), by striking “he”
24 each place it appears and inserting “the
25 member”; and

1 (iii) in subsection (b), by striking
2 “his” and inserting “the member’s”.

3 (h) ALLOTMENT AND ASSIGNMENT OF PAY.—

4 (1) IN GENERAL.—Subsections (a), (c), and (d)
5 of section 701 of title 37, United States Code, are
6 each amended by striking “or Marine Corps” and
7 inserting “Marine Corps, or Space Force”.

8 (2) TECHNICAL AMENDMENTS.—Such section
9 701 is further amended—

10 (A) in subsection (a), by striking “his” and
11 inserting “the officer’s”;

12 (B) in subsection (b), by striking “his”
13 and inserting “the person’s”; and

14 (C) in subsection (c), by striking “his pay,
15 and if he does so” and inserting “the member’s
16 pay, and if the member does so”.

17 (3) HEADING.—The heading of such section
18 701 is amended to read as follows:

19 **“§ 701. Members of the Army, Navy, Air Force, Marine**
20 **Corps, and Space Force; contract sur-**
21 **geons”.**

22 (4) TABLE OF SECTIONS.—The table of sections
23 at the beginning of chapter 13 of such title is
24 amended by striking the item relating to section 701
25 and inserting the following new item:

“701. Members of the Army, Navy, Air Force, Marine Corps, and Space Force; contract surgeons.”.

1 (i) FORFEITURE OF PAY.—

2 (1) FORFEITURE FOR ABSENCE FOR INTEM-
3 PERATE USE OF ALCOHOL OR DRUGS.—

4 (A) IN GENERAL.—Section 802 of title 37,
5 United States Code, is amended by striking “or
6 Marine Corps” and inserting “Marine Corps, or
7 Space Force”.

8 (B) TECHNICAL AMENDMENTS.—Such sec-
9 tion 802 is further amended by striking “his”
10 each place it appears and inserting “the mem-
11 ber’s”.

12 (2) FORFEITURE WHEN DROPPED FROM
13 ROLLS.—

14 (A) IN GENERAL.—Section 803 of such
15 title is amended by striking “or the Air Force”
16 and inserting “, the Air Force, or the Space
17 Force”.

18 (B) HEADING.—The heading of such sec-
19 tion 803 is amended to read as follows:

20 **“§ 803. Commissioned officers of the Army, Air Force,**
21 **or Space Force: forfeiture of pay when**
22 **dropped from rolls”.**

23 (C) TABLE OF SECTIONS.—The table of
24 sections at the beginning of chapter 15 of such

1 title is amended by striking the item relating to
 2 section 803 and inserting the following new
 3 item:

“803. Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls.”.

4 (j) EFFECT ON PAY OF EXTENSION OF ENLIST-
 5 MENT.—Section 906 of title 37, United States Code, is
 6 amended by inserting “Space Force,” after “Marine
 7 Corps,”.

8 (k) ADMINISTRATION OF PAY.—

9 (1) PROMPT PAYMENT REQUIRED.—

10 (A) IN GENERAL.—Section 1005 of title
 11 37, United States Code, is amended by striking
 12 “and of the Air Force” and inserting “, the Air
 13 Force, and the Space Force”.

14 (B) HEADING.—The heading of such sec-
 15 tion 1005 is amended to read as follows:

16 **“§ 1005. Army, Air Force, and Space Force: prompt
 17 payments required”.**

18 (C) TABLE OF SECTIONS.—The table of
 19 sections at the beginning of chapter 15 of such
 20 title is amended by striking the item relating to
 21 section 803 and inserting the following new
 22 item:

“1005. Army, Air Force, and Space Force: prompt payments required.”.

23 (2) DEDUCTIONS FROM PAY.—

1 (A) IN GENERAL.—Section 1007 of such
2 title is amended—

3 (i) in subsections (b), (d), (f), and (g),
4 by striking “or the Air Force” and insert-
5 ing “, the Air Force, or the Space Force”;
6 and

7 (ii) in subsection (e), by striking “or
8 Marine Corps” and inserting “Marine
9 Corps, or Space Force”.

10 (B) TECHNICAL AMENDMENTS.—Such sec-
11 tion 1007 is further amended—

12 (i) in subsection (b), by striking
13 “him” and inserting “the member”;

14 (ii) in subsection (d), by striking
15 “his” each place it appears and inserting
16 “the member’s”; and

17 (iii) in subsection (f)—

18 (I) by striking “his” and insert-
19 ing “the officer’s”; and

20 (II) by striking “he” both places
21 it appears and inserting “the officer”.

22 **SEC. 935. AMENDMENTS RELATING TO PROVISIONS OF LAW**
23 **ON VETERANS’ BENEFITS.**

24 (a) ADDITION OF SPACE SERVICE TO REFERENCES
25 TO MILITARY, NAVAL, OR AIR SERVICE.—Title 38, United

1 States Code, is amended by striking “or air service” and
2 inserting “air, or space service” each place it appears in
3 the following provisions:

4 (1) Paragraphs (2), (5), (12), (16), (17), (18),
5 (24), and (32) of section 101.

6 (2) Section 105(a).

7 (3) Section 106(b).

8 (4) Section 701.

9 (5) Paragraphs (1) and (2)(A) of section 1101.

10 (6) Section 1103.

11 (7) Section 1110.

12 (8) Subsections (b)(1) and (c)(1) of section
13 1112.

14 (9) Section 1113(b).

15 (10) Section 1131.

16 (11) Section 1132.

17 (12) Section 1133.

18 (13) Section 1137.

19 (14) Section 1141.

20 (15) Section 1153.

21 (16) Section 1301.

22 (17) Subsections (a) and (b) of section 1302.

23 (18) Section 1310(b).

24 (19) Section 1521(j).

25 (20) Section 1541(h).

- 1 (21) Subsections (a)(2)(B) and (e)(3) of section
2 1710.
- 3 (22) Section 1712(a).
- 4 (23) Section 1712A(c).
- 5 (24) Section 1717(d)(1).
- 6 (25) Subsections (b) and (c) of section 1720A.
- 7 (26) Section 1720D(c)(3).
- 8 (27) Section 1720E(a).
- 9 (28) Section 1720G(a)(2)(B).
- 10 (29) Subsections (b)(2), (e)(1), and (e)(4) of
11 section 1720I.
- 12 (30) Section 1781(a)(3).
- 13 (31) Section 1783(b)(1).
- 14 (32) Section 1922(a).
- 15 (33) Section 2002(b)(1).
- 16 (34) Section 2101A(a)(1).
- 17 (35) Subsections (a)(1)(C) and (d) of section
18 2301.
- 19 (36) Section 2302(a).
- 20 (37) Section 2303(b)(2).
- 21 (38) Subsections (b)(4)(A) and (g)(2) of section
22 2306.
- 23 (39) Section 2402(a)(1).
- 24 (40) Section 3018B(a).
- 25 (41) Section 3102(a)(1)(A)(ii).

- 1 (42) Subsections (a) and (b)(2)(A) of section
2 3103.
- 3 (43) Section 3113(a).
- 4 (44) Section 3501(a).
- 5 (45) Section 3512(b)(1)(B)(iii).
- 6 (46) Section 3679(c)(2)(A).
- 7 (47) Section 3701(b)(2).
- 8 (48) Section 3712(e)(2).
- 9 (49) Section 3729(c)(1).
- 10 (50) Subparagraphs (A) and (B) of section
11 3901(1).
- 12 (51) Subsections (c)(1)(A) and (d)(2)(B) of sec-
13 tion 5103A.
- 14 (52) Section 5110(j).
- 15 (53) Section 5111(a)(2)(A).
- 16 (54) Section 5113(b)(3)(C).
- 17 (55) Section 5303(e).
- 18 (56) Section 6104(c).
- 19 (57) Section 6105(a).
- 20 (58) Subsections (a)(1) and (b)(3) of section
21 6301.
- 22 (59) Section 6303(b).
- 23 (60) Section 6304(b)(1).
- 24 (61) Section 8301.
- 25 (b) DEFINITIONS.—

1 (1) ARMED FORCES.—Paragraph (10) of sec-
2 tion 101 of title 38, United States Code, is amended
3 by inserting “Space Force,” after “Air Force,”.

4 (2) SECRETARY CONCERNED.—Paragraph
5 (25)(C) of such section is amended by inserting “or
6 the Space Force” before the semicolon.

7 (3) SPACE FORCE RESERVE.—Paragraph (27)
8 of such section is amended—

9 (A) by redesignating subparagraphs (E)
10 through (G) as subparagraphs (F) through (H),
11 respectively; and

12 (B) by inserting after subparagraph (D)
13 the following new subparagraph (E):

14 “(E) the Space Force Reserve;”.

15 (c) PLACEMENT OF EMPLOYEES IN MILITARY IN-
16 STALLATIONS.—Section 701 of title 38, United States
17 Code, is amended by striking “and Air Force” and insert-
18 ing “Air Force, and Space Force”.

19 (d) CONSIDERATION TO BE ACCORDED TIME,
20 PLACE, AND CIRCUMSTANCES OF SERVICE.—Section
21 1154(b) of title 38, United States Code, is amended by
22 striking “or air organization” and inserting “air, or space
23 organization”.

1 (e) PREMIUM PAYMENTS.—Section 1908 of title 38,
 2 United States Code, is amended by inserting “Space
 3 Force,” after “Marine Corps,”.

4 (f) SECRETARY CONCERNED FOR GI BILL.—Section
 5 3020(l)(3) of title 38, United States Code, is amended by
 6 inserting “or the Space Force” before the semicolon.

7 (g) DEFINITIONS FOR POST-9/11 GI BILL.—Section
 8 3301(2)(C) of title 38, United States Code, is amended by
 9 inserting “or the Space Force” after “Air Force”.

10 (h) PROVISION OF CREDIT PROTECTION AND OTHER
 11 SERVICES.—Section 5724(c)(2) of title 38, United States
 12 Code, is amended by striking “or Marine Corps” and in-
 13 serting “Marine Corps, or Space Force”.

14 **SEC. 936. AMENDMENTS TO OTHER PROVISIONS OF THE**
 15 **UNITED STATES CODE.**

16 (a) TITLE 5; DEFINITION OF ARMED FORCES.—Sec-
 17 tion 2101(2) of title 5, United States Code, is amended
 18 by inserting after “Marine Corps,” the following: “Space
 19 Force,”.

20 (b) TITLE 14.—

21 (1) VOLUNTARY RETIREMENT.—Section 2152
 22 of title 14, United States Code, is amended by strik-
 23 ing “or Marine Corps” and inserting “Marine Corps,
 24 or Space Force”.

1 (2) COMPUTATION OF LENGTH OF SERVICE.—

2 Section 2513 of such title is amended by inserting
3 after “Air Force,” the following: “Space Force,”.

4 (c) TITLE 18; FIREARMS AS NONMAILABLE.—Sec-
5 tion 1715 of such title is amended by inserting “Space
6 Force,” after “Marine Corps,”.

7 (d) TITLE 31.—

8 (1) DEFINITIONS RELATING TO CLAIMS.—Sec-
9 tion 3701(a)(7) of title 31, United States Code, is
10 amended by inserting “Space Force,” after “Marine
11 Corps,”.

12 (2) COLLECTION AND COMPROMISE.—Section
13 3711(f) of such title is amended in paragraphs (1)
14 and (3) by inserting “Space Force,” after “Marine
15 Corps,” each place it appears.

16 (e) TITLE 41; HONORABLE DISCHARGE CERTIFI-
17 CATE IN LIEU OF BIRTH CERTIFICATE.—Section 6309(a)
18 of title 41, United States Code, is amended by inserting
19 “Space Force,” after “Marine Corps,”.

20 (f) TITLE 51; POWERS OF THE ADMINISTRATION IN
21 PERFORMANCE OF FUNCTIONS.—Section 20113(l) of title
22 51, United States Code, is amended—

23 (1) in the subsection heading, by striking
24 “SERVICES” and inserting “FORCES”; and

1 (2) by striking “and Marine Corps” and insert-
2 ing “Marine Corps, and Space Force”.

3 **SEC. 937. APPLICABILITY TO OTHER PROVISIONS OF LAW.**

4 (a) SECRETARY OF DEFENSE AUTHORITY.—The au-
5 thority of the Secretary of Defense with respect to the Air
6 Force or members of the Air Force under any covered pro-
7 vision of law may be exercised by the Secretary with re-
8 spect to the Space Force or members of the Space Force.

9 (b) SECRETARY OF THE AIR FORCE AUTHORITY.—
10 The authority of the Secretary of the Air Force with re-
11 spect to the Air Force or members of the Air Force under
12 any covered provision of law may be exercised with respect
13 to the Space Force or members of the Space Force.

14 (c) BENEFITS FOR MEMBERS.—A member of the
15 Space Force shall be eligible for any benefit under a cov-
16 ered provision of law that is available to a member of the
17 Air Force under the same terms and conditions as the pro-
18 vision of law applies to members of the Air Force.

19 (d) COVERED PROVISION OF LAW DEFINED.—In this
20 section, the term “covered provision of law” means a pro-
21 vision of law other than a provision of title 5, 10, 14, 18,
22 31, 37, 38, 41, or 51, United States Code.

PART II—OTHER MATTERS**SEC. 941. MATTERS RELATING TO RESERVE COMPONENTS
FOR THE SPACE FORCE.****(a) LIMITATION ON ESTABLISHMENT OF SPACE NA-
TIONAL GUARD.—**

(1) **IN GENERAL.**—The Space National Guard may not be established as a reserve component of the Space Force until the Secretary of Defense certifies in writing, to the congressional defense committees that a Space National Guard is the organization best suited to discharge in an effective and efficient manner the missions intended to be assigned to the Space National Guard.

(2) **BASIS FOR CERTIFICATION.**—The certification must be based on the results of a study conducted for purposes of this subsection by the Assistant Secretary of the Air Force for Manpower and Reserve Affairs.

(3) **PROPOSED MISSIONS.**—The certification shall include a description of each mission proposed to be assigned to the Space National Guard in connection with the certification.

(b) SPACE FORCE RESERVE.—

(1) **INCLUSION WITHIN SPACE FORCE.**—Section 9081(b)(2) of title 10, United States Code, is amended by inserting “, including the Regular Space

1 Force and the Space Force Reserve,” after “space
2 forces”.

3 (2) NAMED RESERVE COMPONENT.—Section
4 10101 of title 10, United States Code, is amended—

5 (A) by redesignating paragraph (7) as
6 paragraph (8); and

7 (B) by inserting after paragraph (6) the
8 following new paragraph (7):

9 “(7) The Space Force Reserve.”.

10 (3) COMPOSITION.—

11 (A) IN GENERAL.—Chapter 1003 of such
12 title is amended—

13 (i) by redesignating section 10114 as
14 section 10115; and

15 (ii) by inserting after section 10113
16 the following new section 10114:

17 **“§ 10114. Space Force Reserve: composition**

18 “The Space Force Reserve is a reserve component of
19 the Space Force to provide a reserve for active duty. It
20 consists of the members of the officers’ section of the
21 Space Force Reserve and of the enlisted section of the
22 Space Force Reserve.”.

23 (B) CLERICAL AMENDMENT.—The table of
24 sections at the beginning of chapter 1003 of
25 such title is amended by striking the item relat-

1 ing to section 10114 and inserting the following
2 new items:

“10114. Space Force Reserve: composition.

“10115. Coast Guard Reserve.”.

3 (4) SPACE FORCE RESERVE COMMAND.—

4 (A) IN GENERAL.—Chapter 1006 of such
5 title is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 10175. Space Force Reserve Command**

8 “(a) ESTABLISHMENT OF COMMAND.—The Secretary
9 of the Air Force, with the advice and assistance of the
10 Chief of Space Operations, shall establish a Space Force
11 Reserve Command. The Space Force Reserve Command
12 shall be operated as a separate command of the Space
13 Force.

14 “(b) COMMANDER.—The Chief of Space Force Re-
15 serve is the Commander of the Space Force Reserve Com-
16 mand. The commander of the Space Force Reserve Com-
17 mand reports directly to the Chief of Space Operations.

18 “(c) ASSIGNMENT OF FORCES.—The Secretary of the
19 Air Force—

20 “(1) shall assign to the Space Force Reserve
21 Command all forces of the Space Force Reserve sta-
22 tioned in the continental United States other than
23 forces assigned to the unified combatant command

1 for special operations forces established pursuant to
2 section 167 of this title; and

3 “(2) except as otherwise directed by the Sec-
4 retary of Defense in the case of forces assigned to
5 carry out functions of the Secretary of the Air Force
6 specified in section 9013 of this title, shall assign to
7 the combatant commands all such forces assigned to
8 the Space Force Reserve Command under paragraph
9 (1) in the manner specified by the Secretary of De-
10 fense.”.

11 (B) CLERICAL AMENDMENT.—The table of
12 sections at the beginning of chapter 1006 of
13 such title is amended by adding at the end the
14 following new item:

“10175. Space Force Reserve Command.”.

15 (c) MILITARY PERSONNEL MANAGEMENT.—Any au-
16 thority in title 10, United States Code, may be applied
17 to a member of the Space Force Reserve in the same man-
18 ner as such authority is applied to a similarly situated
19 member of the Air Force Reserve. In the application of
20 such authority to a member of the Space Force Reserve,
21 any reference to a grade of a member of in the Air Force
22 or Air Force Reserve shall be deemed to refer to the equiv-
23 alent grade in the Space Force or Space Force Reserve.

24 (d) REPORT ON INTEGRATION OF SPACE FORCE RE-
25 SERVE INTO LAW.—Not later than 270 days after the

1 date of the enactment of this Act, the Secretary of Defense
2 shall submit to the Committees on Armed Services of the
3 Senate and the House of Representatives a report setting
4 forth the amendments to title 10, United States Code, and
5 any other laws, necessary to fully integrate the Space
6 Force Reserve into statutory authorities on the personnel,
7 activities, missions, and management of the Space Force.

8 **SEC. 942. TRANSFERS OF MILITARY AND CIVILIAN PER-**
9 **SONNEL TO THE SPACE FORCE.**

10 (a) PROHIBITION ON INVOLUNTARY TRANSFER.—A
11 member of the Armed Forces or civilian employee of the
12 Department of Defense may not be transferred to the mili-
13 tary or civilian part of the Space Force, as the case may
14 be, without the consent of such member or employee.

15 (b) STATUS WITHIN SPACE FORCE UPON TRANS-
16 FER.—Any member of the Armed Forces or civilian em-
17 ployee of the Department of Defense who is transferred
18 to the Space Force shall, after transfer, have the status
19 of member or civilian employee, as the case may be, of
20 the Space Force.

21 (c) DETAIL OR ASSIGNMENT OF MEMBERS.—

22 (1) PERMANENT NATURE OF DETAIL OR AS-
23 SIGNMENT.—The detail or assignment of any mem-
24 ber of the Armed Forces to the Space Force on or
25 after the date of the enactment of this Act shall be

1 permanent, and shall be treated as a transfer to
2 which subsection (b) applies.

3 (2) ACKNOWLEDGMENT OF NATURE.—Any
4 member undergoing a detail or assignment described
5 in paragraph (1) shall execute a written acknowledg-
6 ment, before undergoing such detail or assignment,
7 of the permanent nature of the detail or assignment
8 by reason of paragraph (1).

9 **SEC. 943. LIMITATION ON TRANSFER OF MILITARY INSTAL-**
10 **LATIONS TO THE JURISDICTION OF THE**
11 **SPACE FORCE.**

12 (a) LIMITATION.—A military installation (whether or
13 not under the jurisdiction of the Department of the Air
14 Force) may not be transferred to the jurisdiction or com-
15 mand of the Space Force until the Secretary of the Air
16 Force briefs the congressional defense committees on the
17 results of a business case analysis, conducted by the Sec-
18 retary in connection with the transfer, of the cost and effi-
19 cacy of the transfer.

20 (b) TIMING OF BRIEFING.—The briefing on a busi-
21 ness case analysis conducted pursuant to subsection (a)
22 shall be provided not later than 15 days after the date
23 of the completion of the business case analysis by the Sec-
24 retary.

1 **SEC. 946. APPLICATION OF ACQUISITION DEMONSTRATION**
 2 **PROJECT TO DEPARTMENT OF THE AIR**
 3 **FORCE EMPLOYEES ASSIGNED TO ACQUI-**
 4 **SITION POSITIONS WITHIN THE SPACE FORCE.**

5 (a) IN GENERAL.—Chapter 81 of title 10, United
 6 States Code, is amended by adding at the end the fol-
 7 lowing new section:

8 **“§ 1599i. Application of acquisition demonstration**
 9 **project to Department of the Air Force**
 10 **employees assigned to acquisition posi-**
 11 **tions within the Space Force**

12 “For purposes of the demonstration project author-
 13 ized by section 1762 of this title, the Secretary of Defense
 14 may apply the provisions of such section, including any
 15 regulations, procedures, waivers, or guidance imple-
 16 menting such section, to employees of the Department of
 17 the Air Force assigned to acquisition positions within the
 18 Space Force.”.

19 (b) TABLE OF SECTIONS.—The table of sections at
 20 the beginning of such chapter is amended by adding at
 21 the end the following new item:

“1599i. Application of acquisition demonstration project to Department of the
 Air Force employees assigned to acquisition positions within
 the Space Force.”.

22 **SEC. 947. AIR AND SPACE FORCE MEDAL.**

23 (a) SUPERSEDURE OF AIRMAN’S MEDAL WITH AIR
 24 AND SPACE FORCE MEDAL.—

1 (1) IN GENERAL.—Section 9280 of title 10,
2 United States Code, is amended—

3 (A) by striking “Airman’s Medal” each
4 place it appears and inserting “Air and Space
5 Force Medal”; and

6 (B) in subsection (a)(1), by inserting “or
7 the Space Force” after “the Air Force”.

8 (2) SECTION HEADING.—The heading of such
9 section is amended to read as follows:

10 **“§ 9280. Air and Space Force Medal: award; limita-**
11 **tions”.**

12 (3) TABLE OF SECTIONS.—The table of sections
13 at the beginning of chapter 937 of such title is
14 amended by striking the item relating to section
15 9280 and inserting the following new item:

“9280. Air and Space Force Medal: award; limitations.”.

16 (b) DIFFERENTIATION IN DESIGN.—The President
17 shall ensure that the design of the Air and Space Force
18 Medal and accompanying ribbon (and any related bar or
19 device) awarded under section 9280 of title 10, United
20 States Code (as amended by subsection (a)), differs in an
21 appropriate manner from the design of the Airman’s
22 Medal and accompanying ribbon, bar, or device awarded
23 under section 9280 of title 10, United States Code, as
24 such section was in effect on the date before the date of
25 the enactment of this Act.

1 **Subtitle D—Organization and Man-**
2 **agement of Other Department of**
3 **Defense Offices and Elements**

4 **SEC. 951. ANNUAL REPORT ON ESTABLISHMENT OF FIELD**
5 **OPERATING AGENCIES.**

6 (a) IN GENERAL.—Subchapter I of chapter 134 of
7 title 10, United States Code, is amended by inserting after
8 section 2245 the following new section:

9 **“§ 2246. Establishment of field operating agencies:**
10 **annual report**

11 “(a) ANNUAL REPORT REQUIRED.—Not later than
12 January 31 each year, the Secretary of Defense shall sub-
13 mit to the congressional defense committees a report on
14 each, if any, field operating agency established during the
15 preceding year.

16 “(b) ELEMENTS.—Each report under subsection (a)
17 shall include, for each field operating agency covered by
18 such report, the following:

19 “(1) The name of such agency.

20 “(2) The physical location of such agency.

21 “(3) The title and grade (whether military or
22 civilian) of the head of such agency.

23 “(4) The chain of command, supervision, or au-
24 thority through which the head of such agency re-
25 ports to the Office of the Secretary of Defense or

1 the military department or Armed Forces head-
 2 quarters, as applicable.

3 “(5) The mission of such agency.

4 “(6) The number of personnel authorized to be
 5 assigned to such agency, and the number of such au-
 6 thorizations encumbered by military personnel and
 7 civilian employees of the Department of Defense or
 8 military department, as applicable.

9 “(7) The purpose underlying the establishment
 10 of such agency.

11 “(8) Any cost savings or other efficiencies that
 12 have accrued, or are anticipated to accrue, to the
 13 Department of Defense or any of its components in
 14 connection with the establishment and operation of
 15 such agency.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
 17 at the beginning of subchapter I of chapter 134 of such
 18 title is amended by inserting after the item relating to sec-
 19 tion 2245 the following new item:

“2246. Establishment of field operating agencies: annual report.”.

20 **SEC. 952. BRIEFING ON ASSIGNMENT OF MEMBERS OF THE**
 21 **ARMED FORCES ON ACTIVE DUTY TO THE**
 22 **JOINT ARTIFICIAL INTELLIGENCE CENTER**
 23 **OF THE DEPARTMENT OF DEFENSE.**

24 Not later than 90 days after the date of the enact-
 25 ment of this Act, the Secretary of Defense, with appro-

1 piate representatives of the Armed Forces, shall brief the
2 Committees on Armed Services of the Senate and the
3 House of Representatives on the feasibility and the cur-
4 rent status of assigning members of the Armed Forces on
5 active duty to the Joint Artificial Intelligence Center
6 (JAIC) of the Department of Defense. The briefing shall
7 include an assessment of such assignment on each of the
8 following:

9 (1) The strengthening of ties between the Joint
10 Artificial Intelligence Center and operational forces
11 for purposes of—

12 (A) identifying tactical and operational use
13 cases for artificial intelligence (AI);

14 (B) improving data collection; and

15 (C) establishing effective liaison between
16 the Center and operational forces for identifica-
17 tion and clarification of concerns in the wide-
18 spread adoption and dissemination of artificial
19 intelligence.

20 (2) The creation of opportunities for additional
21 non-traditional broadening assignments for members
22 on active duty.

23 (3) The career trajectory of active duty mem-
24 bers so assigned, including potential negative effects
25 on career trajectory.

1 (4) The improvement and enhancement of the
2 capacity of the Center to influence Department-wide
3 policies that affect the adoption of artificial intel-
4 ligence.

5 **SEC. 953. THREATS TO UNITED STATES FORCES FROM**
6 **SMALL UNMANNED AERIAL SYSTEMS WORLD-**
7 **WIDE.**

8 (a) FINDINGS.—Congress makes the following find-
9 ings:

10 (1) United States military forces face an ever
11 increasing and constantly evolving threat from small
12 unmanned aerial systems in operations worldwide,
13 whether in the United States or abroad.

14 (2) The Department of Defense is already
15 doing important work to address the threats from
16 small unmanned aerial systems worldwide, though
17 the need for engagement in that area continues.

18 (b) EXECUTIVE AGENT.—

19 (1) IN GENERAL.—The Secretary of the Army
20 is the executive agent of the Department of Defense
21 for programs, projects, and activities to counter
22 small unmanned aerial systems (in this section re-
23 ferred to as the “Counter-Small Unmanned Aerial
24 Systems Program”).

1 (2) FUNCTIONS.—The functions of the Sec-
2 retary as executive agent shall be as follows:

3 (A) To develop the strategy required by
4 subsection (c).

5 (B) To carry out such other activities to
6 counter threats to United States forces world-
7 wide from small unmanned aerial systems as
8 the Secretary of Defense and the Secretary of
9 the Army consider appropriate.

10 (3) STRUCTURE.—The Secretary as executive
11 agent shall carry out the functions specified in para-
12 graph (2) through such administrative structures as
13 the Secretary considers appropriate.

14 (c) STRATEGY TO COUNTER THREATS FROM SMALL
15 UNMANNED AERIAL SYSTEMS.—Not later than 90 days
16 after the date of the enactment of this Act, the Secretary
17 of the Army, as executive agent for the Counter-Small Un-
18 manned Aerial Systems Program, shall develop and sub-
19 mit to relevant committees of Congress a strategy for the
20 Armed Forces to effectively counter threats from small un-
21 manned aerial systems worldwide. The report shall be sub-
22 mitted in classified form.

23 (d) REPORT ON EXECUTIVE AGENT ACTIVITIES.—

24 (1) REPORT REQUIRED.—Not later than one
25 year after the date of the enactment of this Act, the

1 Secretary of the Army, as executive agent for the
2 Counter-Small Unmanned Aerial Systems Program,
3 shall submit to Congress a report on the Counter-
4 Small Unmanned Aerial Systems Program.

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

7 (A) A description and assessment of the
8 structure and activities of the executive agent
9 as established and put in place by the Sec-
10 retary, including the following:

11 (i) Any obstacles hindering the effec-
12 tive discharge of its functions and activi-
13 ties, including limitations in authorities or
14 policy.

15 (ii) The changes, if any, to airspace
16 management, rules of engagement, and
17 training plans that are required in order to
18 optimize the use by the Armed Forces of
19 counter-small unmanned aerial systems.

20 (B) An assessment of the implementation
21 of the strategy required by subsection (c), and
22 a description of any updates to the strategy
23 that are required in light of evolving threats to
24 the Armed Forces from small unmanned aerial
25 systems.

1 (e) REPORT ON THREAT FROM SMALL UNMANNED
2 AERIAL SYSTEMS.—

3 (1) REPORT REQUIRED.—Not later than 180
4 days after the submittal of the strategy required by
5 subsection (c), the Secretary of Defense shall submit
6 to the appropriate committees of Congress a report
7 that sets forth a direct comparison between the
8 threats United States forces in combat settings face
9 from small unmanned aerial systems and the capa-
10 bilities of the United States to counter such threats.
11 The report shall be submitted in classified form.

12 (2) COORDINATION.—The Secretary shall pre-
13 pare the report required by paragraph (1) in coordi-
14 nation with the Director of the Defense Intelligence
15 Agency and with such other appropriate officials of
16 the intelligence community, and such other officials
17 in the United States Government, as the Secretary
18 considers appropriate.

19 (3) ELEMENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) An evaluation and assessment of the
22 current and evolving threat being faced by
23 United States forces from small unmanned aer-
24 ial systems.

1 (B) A description of the counter-small un-
2 manned aerial system systems acquired by the
3 Department of Defense as of the date of the en-
4 actment of this Act, and an assessment whether
5 such systems are adequate to meet the current
6 and evolving threat described in subparagraph
7 (A).

8 (4) APPROPRIATE COMMITTEES OF CONGRESS
9 DEFINED.—In this subsection, the term “appro-
10 priate committees of Congress” means—

11 (A) the Committee on Armed Services and
12 the Select Committee on Intelligence of the
13 Senate; and

14 (B) the Committee on Armed Services and
15 the Permanent Select Committee on Intelligence
16 of the House of Representatives.

17 (f) INDEPENDENT ASSESSMENT OF COUNTER-SMALL
18 UNMANNED AERIAL SYSTEMS PROGRAM.—

19 (1) ASSESSMENT.—Not later than 60 days
20 after the submittal of the strategy required by sub-
21 section (c), the Secretary of Defense shall seek to
22 enter into a contract with a Federally funded re-
23 search and development center to conduct an assess-
24 ment of the efficacy of the Counter-Small Un-
25 manned Aerial Systems Program.

1 (2) ELEMENTS.—The assessment conducted
2 pursuant to paragraph (1) shall include the fol-
3 lowing:

4 (A) An identification of metrics to assess
5 progress in the implementation of the strategy
6 required by subsection (c), which metrics shall
7 take into account the threat assessment re-
8 quired for purposes of subsection (e).

9 (B) An assessment of progress, and key
10 challenges, in the implementation of the strat-
11 egy using such metrics, and recommendations
12 for improvements in the implementation of the
13 strategy.

14 (C) An assessment of the extent to which
15 the Department of Defense is coordinating ade-
16 quately with other departments and agencies of
17 the United States Government, and other ap-
18 propriate entities, in the development and pro-
19 curement of counter-small unmanned aerial sys-
20 tems for the Department.

21 (D) An assessment of the extent to which
22 the designation of the Secretary of the Army as
23 executive agent for the Counter-Small Un-
24 manned Aerial Systems Program has reduced
25 redundancies and increased efficiencies in pro-

1 curement of counter-small unmanned aerial sys-
2 tems.

3 (E) An assessment whether United States
4 technological progress on counter-small un-
5 manned aerial systems is sufficient to maintain
6 a competitive edge over the small unmanned
7 aerial systems technology available to United
8 States adversaries.

9 (3) REPORT.—Not later than 180 days after
10 entry into the contract referred to in paragraph (1),
11 the Secretary shall submit to the congressional de-
12 fense committees a report setting forth the results of
13 the assessment required under the contract.

14 **TITLE X—GENERAL PROVISIONS**
15 **Subtitle A—Financial Matters**

16 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

17 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

18 (1) AUTHORITY.—Upon determination by the
19 Secretary of Defense that such action is necessary in
20 the national interest, the Secretary may transfer
21 amounts of authorizations made available to the De-
22 partment of Defense in this division for fiscal year
23 2021 between any such authorizations for that fiscal
24 year (or any subdivisions thereof). Amounts of au-
25 thorizations so transferred shall be merged with and

1 be available for the same purposes as the authoriza-
2 tion to which transferred.

3 (2) LIMITATION.—Except as provided in para-
4 graph (3), the total amount of authorizations that
5 the Secretary may transfer under the authority of
6 this section may not exceed \$4,000,000,000.

7 (3) EXCEPTION FOR TRANSFERS BETWEEN
8 MILITARY PERSONNEL AUTHORIZATIONS.—A trans-
9 fer of funds between military personnel authoriza-
10 tions under title IV shall not be counted toward the
11 dollar limitation in paragraph (2).

12 (b) LIMITATIONS.—The authority provided by sub-
13 section (a) to transfer authorizations—

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

17 (2) may not be used to provide authority for an
18 item that has been denied authorization by Con-
19 gress.

20 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
21 transfer made from one account to another under the au-
22 thority of this section shall be deemed to increase the
23 amount authorized for the account to which the amount
24 is transferred by an amount equal to the amount trans-
25 ferred.

1 (d) NOTICE TO CONGRESS.—The Secretary shall
2 promptly notify Congress of each transfer made under
3 subsection (a).

4 **SEC. 1002. APPLICATION OF FINANCIAL IMPROVEMENT**
5 **AND AUDIT REMEDIATION PLAN TO FISCAL**
6 **YEARS FOLLOWING FISCAL YEAR 2020.**

7 Section 240b(a)(2)(A)(iii) of title 10, United States
8 Code, is amended by striking “for fiscal year 2018” and
9 all that follows and inserting “for each fiscal year after
10 fiscal year 2020 occurs by not later than March 31 fol-
11 lowing such fiscal year;”.

12 **SEC. 1003. INCENTIVES FOR THE ACHIEVEMENT BY THE**
13 **COMPONENTS OF THE DEPARTMENT OF DE-**
14 **FENSE OF UNQUALIFIED AUDIT OPINIONS ON**
15 **THE FINANCIAL STATEMENTS.**

16 (a) INCENTIVES REQUIRED.—Not later than 180
17 days after the date of the enactment of this Act, the Under
18 Secretary of Defense (Comptroller) shall, acting through
19 the Deputy Chief Financial Officer of the Department of
20 Defense, develop and issue guidance to incentivize the
21 achievement by each department, agency, and other com-
22 ponent of the Department of Defense of unqualified audit
23 opinions on their financial statements.

24 (b) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Under Secretary shall

1 submit to the appropriate committees of Congress a report
 2 setting forth a description and assessment of current and
 3 proposed incentives for the achievement of unqualified
 4 audit opinions as described in subsection (a).

5 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
 6 FINED.—In this section, the term “appropriate commit-
 7 tees of Congress” means—

8 (1) the Committee on Armed Services, the
 9 Committee on the Budget, and the Committee on
 10 Appropriations of the Senate; and

11 (2) the Committee on Armed Services, the
 12 Committee on the Budget, and the Committee on
 13 Appropriations of the House of Representatives.

14 **Subtitle B—Counterdrug Activities**

15 **SEC. 1011. CODIFICATION OF AUTHORITY FOR JOINT TASK** 16 **FORCES OF THE DEPARTMENT OF DEFENSE** 17 **TO SUPPORT LAW ENFORCEMENT AGENCIES** 18 **CONDUCTING COUNTERTERRORISM OR** 19 **COUNTER-TRANSNATIONAL ORGANIZED** 20 **CRIME ACTIVITIES.**

21 (a) CODIFICATION OF SECTION 1022 OF FY 2004
 22 NDAA.—Chapter 15 of title 10, United States Code, is
 23 amended by adding at the end a new section 285 con-
 24 sisting of—

25 (1) a heading as follows:

1 **“§ 285. Authority for joint task forces to support law**
 2 **enforcement agencies conducting**
 3 **counterterrorism or counter-**
 4 **transnational organized crime activities”;**
 5 **and**

6 (2) a text consisting of the text of section 1022
 7 of the National Defense Authorization Act for Fiscal
 8 Year 2004 (10 U.S.C. 271 note).

9 (b) CONFORMING AMENDMENTS IN CONNECTION
 10 WITH CODIFICATION.—Section 285 of title 10, United
 11 States Code, as added by subsection (a), is amended—

12 (1) in subsection (b), by striking “During fiscal
 13 years 2006 through 2022, funds for drug interdiction”
 14 and inserting “Funds for drug interdiction”;

15 (2) in subsection (c), by striking “of each year
 16 in which the authority in subsection (a) is in effect”
 17 and inserting “each year”;

18 (3) in subsection (d)—

19 (A) in paragraph (1), by striking the para-
 20 graph designation and all that follows through
 21 “Support” in paragraph (2)(A) and inserting
 22 “(1) Support”;

23 (B) by redesignating subparagraph (B) as
 24 paragraph (2); and

1 (C) in paragraph (2), as so redesignated,
 2 by striking “subparagraph (A)” and inserting
 3 “paragraph (1)”; and
 4 (4) in subsection (e)—

5 (A) in paragraph (1), by striking “of title
 6 10, United States Code” and inserting “of this
 7 title”; and

8 (B) by striking the second paragraph (2).

9 (c) CLERICAL AMENDMENT.—The table of sections
 10 at the beginning of chapter 15 of such title is amended
 11 by adding at the end the following new item:

“285. Authority for joint task forces to support law enforcement agencies con-
 ducting counterterrorism or counter-transnational organized
 crime activities.”.

12 (d) CONFORMING REPEAL.—Section 1022 of the Na-
 13 tional Defense Authorization Act for Fiscal Year 2004 is
 14 repealed.

15 **Subtitle C—Naval Vessels and** 16 **Shipyards**

17 **SEC. 1021. MODIFICATION OF AUTHORITY TO PURCHASE** 18 **USED VESSELS WITH FUNDS IN THE NA-** 19 **TIONAL DEFENSE SEALIFT FUND.**

20 Section 2218(f)(3) of title 10, United States Code,
 21 is amended—

22 (1) by striking subparagraphs (E) and (G); and

23 (2) by redesignating subparagraph (F) as sub-
 24 paragraph (E).

1 **SEC. 1022. WAIVER DURING WAR OR THREAT TO NATIONAL**
2 **SECURITY OF RESTRICTIONS ON OVERHAUL,**
3 **REPAIR, OR MAINTENANCE OF VESSELS IN**
4 **FOREIGN SHIPYARDS.**

5 Section 8680 of title 10, United States Code, is
6 amended—

7 (1) by redesignating subsection (c) as sub-
8 section (d); and

9 (2) by inserting after subsection (b) the fol-
10 lowing new subsection: (c)

11 “(c) **WAIVER.**—(1) The Secretary of the Navy may
12 waive the restrictions in subsections (a) and (b) for the
13 duration of a period of threat to the national security in-
14 terests of the United States upon a written determination
15 by the Secretary that such a waiver is necessary in the
16 national security interest of the United States.

17 “(2) Not later than 15 days after making a deter-
18 mination under paragraph (1), the Secretary shall provide
19 to the congressional defense committees a written notifica-
20 tion on the determination.

21 “(3) In this subsection, the term ‘period of threat to
22 the national security interests of the United States’ means
23 the following:

24 “(A) A period of war.

25 “(B) Any other period determined by Secretary
26 of Defense in which the national security interests of

1 the United States are threatened by the application,
2 or the imminent danger of application, of physical
3 force by any foreign government or agency against
4 the United States, citizens of the United States, the
5 property of citizens of the United States, or the
6 commercial interests of citizens of the United
7 States.”.

8 **SEC. 1023. MODIFICATION OF WAIVER AUTHORITY ON PRO-**
9 **HIBITION ON USE OF FUNDS FOR RETIRE-**
10 **MENT OF CERTAIN LEGACY MARITIME MINE**
11 **COUNTERMEASURE PLATFORMS.**

12 (a) IN GENERAL.—Section 1046(b)(1) of the Na-
13 tional Defense Authorization Act for Fiscal Year 2018
14 (Public law 115–91; 131 Stat. 1556) is amended by strik-
15 ing “certifies” and inserting “, with the concurrence of
16 the Director of Operational Test and Evaluation, certifies
17 in writing”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall take effect on the date of the enact-
20 ment of this Act, and shall apply with respect to waivers
21 under subsection (b)(1) of section 1046 of the National
22 Defense Authorization Act for Fiscal Year 2018 of the
23 prohibition under subsection (a) of that section that occur
24 on or after that date.

1 **SEC. 1024. EXTENSION OF AUTHORITY FOR REIMBURSE-**
2 **MENT OF EXPENSES FOR CERTAIN NAVY**
3 **MESS OPERATIONS AFLOAT.**

4 Section 1014(b) of the Duncan Hunter National De-
5 fense Authorization Act for Fiscal Year 2009 (Public Law
6 110–417; 122 Stat. 4585), as most recently amended by
7 section 1023(a) of the National Defense Authorization Act
8 for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 966),
9 is further amended by striking “September 30, 2020” and
10 inserting “September 30, 2025”.

11 **SEC. 1025. SENSE OF CONGRESS ON ACTIONS NECESSARY**
12 **TO ACHIEVE A 355-SHIP NAVY.**

13 It is the sense of Congress that to achieve the na-
14 tional policy of the United States to have available, as soon
15 as practicable, not fewer than 355 battle force ships—

16 (1) the Navy must be adequately resourced to
17 increase the size of the Navy in accordance with the
18 national policy, which includes the associated ships,
19 aircraft, personnel, sustainment, and munitions;

20 (2) across fiscal years 2021 through 2025, the
21 Navy should start construction on not fewer than—

- 22 (A) 12 Arleigh Burke-class destroyers;
23 (B) 10 Virginia-class submarines;
24 (C) 2 Columbia-class submarines;
25 (D) 3 San Antonio-class amphibious ships;
26 (E) 1 LHA-class amphibious ship;

1 (F) 6 John Lewis-class fleet oilers; and

2 (G) 5 guided missile frigates;

3 (3) new guided missile frigate construction
4 should increase to a rate of between two and four
5 ships per year once design maturity and construction
6 readiness permit;

7 (4) the Columbia-class submarine program
8 should be funded with additions to the Navy budget
9 significantly above the historical average, given the
10 critical single national mission that these vessels will
11 perform and the high priority of the shipbuilding
12 budget for implementing the National Defense
13 Strategy;

14 (5) stable shipbuilding rates of construction
15 should be maintained for each vessel class, utilizing
16 multi-year or block buy contract authorities when
17 appropriate, until a deliberate transition plan is
18 identified; and

19 (6) prototyping of potential new shipboard sub-
20 systems should be accelerated to build knowledge
21 systematically, and, to the maximum extent prac-
22 ticable, shipbuilding prototyping should occur at the
23 subsystem-level in advance of ship design.

1 **Subtitle D—Counterterrorism**

2 **SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS**
3 **FOR TRANSFER OR RELEASE OF INDIVID-**
4 **UALS DETAINED AT UNITED STATES NAVAL**
5 **STATION, GUANTANAMO BAY, CUBA, TO THE**
6 **UNITED STATES.**

7 Section 1033 of the John S. McCain National De-
8 fense Authorization Act for Fiscal Year 2019 (Public Law
9 115–232; 132 Stat. 1953), as amended by section 1043
10 of the National Defense Authorization Act for Fiscal Year
11 2020 (Public Law 116–92), is further amended by strik-
12 ing “December 31, 2020” and inserting “December 31,
13 2021”.

14 **SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS**
15 **TO CLOSE OR RELINQUISH CONTROL OF**
16 **UNITED STATES NAVAL STATION, GUANTA-**
17 **NAMO BAY, CUBA.**

18 Section 1036 of the National Defense Authorization
19 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
20 1551), as most recently amended by section 1045 of the
21 National Defense Authorization Act for Fiscal Year 2020
22 (Public Law 116–92), is further amended by striking “fis-
23 cal year 2018, 2019, or 2020” and inserting “fiscal years
24 2018 through 2021”.

1 **SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVID-**
3 **UALS DETAINED AT UNITED STATES NAVAL**
4 **STATION, GUANTANAMO BAY, CUBA, TO CER-**
5 **TAIN COUNTRIES.**

6 Section 1035 of the John S. McCain National De-
7 fense Authorization Act for Fiscal Year 2019 (Public Law
8 115–232; 132 Stat. 1954), as amended by section 1042
9 of the National Defense Authorization Act for Fiscal Year
10 2020 (Public Law 116–92), is further amended by strik-
11 ing “December 31, 2020” and inserting “December 31,
12 2021”.

13 **SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS**
14 **TO CONSTRUCT OR MODIFY FACILITIES IN**
15 **THE UNITED STATES TO HOUSE DETAINEES**
16 **TRANSFERRED FROM UNITED STATES NAVAL**
17 **STATION, GUANTANAMO BAY, CUBA.**

18 Section 1034(a) of the John S. McCain National De-
19 fense Authorization Act for Fiscal Year 2019 (Public Law
20 115–232; 132 Stat. 1954), as amended by section 1044
21 of the National Defense Authorization Act for Fiscal Year
22 2020 (Public Law 116–92), is further amended by strik-
23 ing “December 31, 2020” and inserting “December 31,
24 2021”.

1 **Subtitle E—Miscellaneous**
2 **Authorities and Limitations**

3 **SEC. 1041. INCLUSION OF DISASTER-RELATED EMERGENCY**
4 **PREPAREDNESS ACTIVITIES AMONG LAW EN-**
5 **FORCEMENT ACTIVITIES AUTHORITIES FOR**
6 **SALE OR DONATION OF EXCESS PERSONAL**
7 **PROPERTY OF THE DEPARTMENT OF DE-**
8 **FENSE.**

9 (a) **INCLUSION.**—Subsection (a)(1)(A) of section
10 2576a of title 10, United States Code, is amended by in-
11 serting “disaster-related emergency preparedness,” after
12 “counterterrorism,”.

13 (b) **PREFERENCE IN TRANSFERS.**—Subsection (d) of
14 such section is amended to read as follows:

15 “(d) **PREFERENCE FOR CERTAIN TRANSFERS.**—In
16 considering applications for the transfer of personal prop-
17 erty under this section, the Secretary shall give a pref-
18 erence to applications indicating that the transferred prop-
19 erty will be used in the counterdrug, counterterrorism, dis-
20 aster-related emergency preparedness, or border security
21 activities of the recipient agency. Applications that request
22 vehicles used for disaster-related emergency preparedness,
23 such as high-water rescue vehicles, should receive the
24 highest preference.”.

1 **SEC. 1042. EXPENDITURE OF FUNDS FOR DEPARTMENT OF**
2 **DEFENSE CLANDESTINE ACTIVITIES THAT**
3 **SUPPORT OPERATIONAL PREPARATION OF**
4 **THE ENVIRONMENT.**

5 (a) **AUTHORITY.**—Subject to subsections (b) through
6 (d), the Secretary of Defense may expend up to
7 \$15,000,000 in any fiscal year for clandestine activities
8 for any purpose the Secretary determines to be proper for
9 preparation of the environment for operations of a con-
10 fidential nature. Such a determination is final and conclu-
11 sive upon the accounting officers of the United States. The
12 Secretary may certify the amount of any such expenditure
13 authorized by the Secretary that the Secretary considers
14 advisable not to specify, and the Secretary's certificate is
15 sufficient voucher for the expenditure of that amount.

16 (b) **FUNDS.**—Funds for expenditures under this sec-
17 tion in a fiscal year shall be derived from amounts author-
18 ized to be appropriated for that fiscal year for operation
19 and maintenance, Defense-wide.

20 (c) **LIMITATION ON DELEGATION.**—The Secretary of
21 Defense may not delegate the authority under this section
22 with respect to any expenditure in excess of \$100,000.

23 (d) **EXCLUSION OF INTELLIGENCE ACTIVITIES.**—

24 (1) **IN GENERAL.**—This section does not con-
25 stitute authority to conduct, or expend funds for, in-

1 intelligence, counterintelligence, or intelligence-related
2 activities.

3 (2) DEFINITIONS.—In this subsection, the
4 terms “intelligence” and “counterintelligence” have
5 the meaning given those terms in section 3 of the
6 National Security Act of 1947 (50 U.S.C. 3003).

7 (e) ANNUAL REPORT.—Not later than December 31
8 each year, the Secretary of Defense shall submit to the
9 congressional defense committees a report on expenditures
10 made under this section during the fiscal year preceding
11 the year in which the report is submitted. Each report
12 shall include, for each expenditure under this section dur-
13 ing the fiscal year covered by such report—

14 (1) the amount and date of such expenditure;

15 (2) a detailed description of the purpose for
16 which such expenditure was made;

17 (3) an explanation why other authorities avail-
18 able to the Department of Defense could not be used
19 for such expenditure; and

20 (4) any other matters the Secretary considers
21 appropriate.

1 **SEC. 1043. CLARIFICATION OF AUTHORITY OF MILITARY**
2 **COMMISSIONS UNDER CHAPTER 47A OF**
3 **TITLE 10, UNITED STATES CODE, TO PUNISH**
4 **CONTEMPT.**

5 (a) CLARIFICATION.—

6 (1) IN GENERAL.—Subchapter IV of chapter
7 47A of title 10, United States Code, is amended by
8 adding at the end the following new section:

9 **“§ 949o-1. Contempt**

10 “(a) AUTHORITY TO PUNISH.—(1) With respect to
11 any proceeding under this chapter, a judicial officer speci-
12 fied in paragraph (2) may punish for contempt any person
13 who—

14 “(A) uses any menacing word, sign, or gesture
15 in the presence of the judicial officer during the pro-
16 ceeding;

17 “(B) disturbs the proceeding by any riot or dis-
18 order; or

19 “(C) willfully disobeys a lawful writ, process,
20 order, rule, decree, or command issued with respect
21 to the proceeding.

22 “(2) A judicial officer referred to in paragraph (1)
23 is any of the following:

24 “(A) Any judge of the United States Court of
25 Military Commission Review.

1 “(B) Any military judge detailed to a military
2 commission or any other proceeding under this chap-
3 ter.

4 “(b) PUNISHMENT.—The punishment for contempt
5 under subsection (a) may not exceed confinement for 30
6 days, a fine of \$1,000, or both.

7 “(c) REVIEW.—(1) A punishment under this sec-
8 tion—

9 “(A) is not reviewable by the convening author-
10 ity of a military commission under this chapter;

11 “(B) if imposed by a military judge, shall con-
12 stitute a judgment, subject to review in the first in-
13 stance only by the United States Court of Military
14 Commission Review and then only by the United
15 States Court of Appeals for the District of Columbia
16 Circuit; and

17 “(C) if imposed by a judge of the United States
18 Court of Military Commission Review, shall con-
19 stitute a judgment of the court subject to review
20 only by the United States Court of Appeals for the
21 District of Columbia Circuit.

22 “(2) In reviewing a punishment for contempt imposed
23 under this section, the reviewing court shall affirm such
24 punishment unless the court finds that imposing such pun-

1 ishment was an abuse of the discretion of the judicial offi-
2 cer who imposed such punishment.

3 “(3) A petition for review of punishment for contempt
4 imposed under this section shall be filed not later than
5 60 days after the date on which the authenticated record
6 upon which the contempt punishment is based and any
7 contempt proceedings conducted by the judicial officer are
8 served on the person punished for contempt.

9 “(d) PUNISHMENT NOT CONVICTION.—Punishment
10 for contempt is not a conviction or sentence within the
11 meaning of section 949m of this title. The imposition of
12 punishment for contempt is not governed by other provi-
13 sions of this chapter applicable to military commissions,
14 except that the Secretary of Defense may prescribe proce-
15 dures for contempt proceedings and punishments, pursu-
16 ant to the authority provided in section 949a of this
17 title.”.

18 (2) CLERICAL AMENDMENT.—The table of sec-
19 tions at the beginning of subchapter IV of such
20 chapter is amended by adding at the end the fol-
21 lowing new item:

“949o–1. Contempt.”.

22 (b) CONFORMING AMENDMENTS.—Section 950t of
23 title 10, United States Code, is amended—

24 (1) by striking paragraph (31); and

1 (2) by redesignating paragraph (32) as para-
2 graph (31).

3 (c) **RULE OF CONSTRUCTION.**—The amendments
4 made by subsections (a) and (b) shall not be construed
5 to affect the lawfulness of any punishment for contempt
6 adjudged prior to the effective date of such amendments.

7 (d) **APPLICABILITY.**—The amendments made by sub-
8 sections (a) and (b) shall take effect on the date of the
9 enactment of this Act, and shall apply with respect to con-
10 duct by a person that occurs on or after such date.

11 **SEC. 1044. PROHIBITION ON ACTIONS TO INFRINGE UPON**
12 **FIRST AMENDMENT RIGHTS OF PEACEABLE**
13 **ASSEMBLY AND PETITION FOR REDRESS OF**
14 **GRIEVANCES.**

15 Amounts authorized to be appropriated by this Act
16 shall not be used for any program, project, or activity, or
17 any use of personnel, to conduct actions against United
18 States citizens that infringe upon their rights under the
19 First Amendment to the Constitution peaceably to assem-
20 ble and/or to petition the Government for a redress of
21 grievances.

22 **SEC. 1045. ARCTIC PLANNING, RESEARCH, AND DEVELOP-**
23 **MENT.**

24 (a) **ARCTIC PLANNING AND IMPLEMENTATION.**—

1 (1) IN GENERAL.—The Secretary of Defense
2 and the Chairman of the Joint Chiefs of Staff shall
3 begin planning and implementing such changes as
4 may be necessary for requirements, training, equip-
5 ment, doctrine, and capability development of the
6 Armed Forces should an expanded role of the Armed
7 Forces in the Arctic be determined by the Secretary
8 to be in the national security interests of the United
9 States.

10 (2) TRAINING.—In carrying out paragraph (1),
11 the Secretary shall direct the Armed Forces to carry
12 out training in the Arctic or training relevant to car-
13 rying out military operations in the Arctic.

14 (b) ARCTIC RESEARCH AND DEVELOPMENT PRO-
15 GRAM.—

16 (1) IN GENERAL.—If pursuant to subsection
17 (a), the Secretary of Defense determines that an ex-
18 panded role for the Armed Forces is in the national
19 security interests of the United States, the Secretary
20 shall establish a research and development program
21 on the current and future requirements and needs of
22 the Armed Forces for operations in the Arctic.

23 (2) ELEMENTS.—The program required by
24 paragraph (1) shall include the following:

1 (A) Development of materiel solutions for
2 operating in extreme weather environments of
3 the Arctic, including equipment for individual
4 members of the Armed Forces, ground vehicles,
5 and communications systems.

6 (B) Development of a plan for fielding fu-
7 ture weapons platforms able to operate in Arc-
8 tic conditions for surface combatants, sub-
9 marines, aviation platforms, assault craft unit
10 connectors, auxiliaries, littoral craft, unmanned
11 aerial vehicles, and any other systems that may
12 be needed in the Arctic.

13 (C) Development of capabilities to monitor,
14 assess, and predict environmental and weather
15 conditions in the Arctic and their effect on mili-
16 tary operations.

17 (D) Determining requirements for logistics
18 and sustainment of the Armed Forces operating
19 in the Arctic.

20 **SEC. 1046. CONSIDERATION OF SECURITY RISKS IN CER-**
21 **TAIN TELECOMMUNICATIONS ARCHITEC-**
22 **TURE FOR FUTURE OVERSEAS BASING DECI-**
23 **SIONS OF THE DEPARTMENT OF DEFENSE.**

24 The Secretary of Defense shall take into account the
25 security risks of 5G and 6G telecommunications network

1 architecture, including the use of telecommunications
2 equipment provided by at-risk vendors such as Huawei
3 Technologies Company, Ltd., and the Zhongxing Tele-
4 communications Equipment Corporation (ZTE), in all fu-
5 ture overseas stationing decisions of the Department of
6 Defense, including—

7 (1) security risks from threats to operational
8 and information security of United States military
9 personnel and equipment; and

10 (2) the sufficiency of potential mitigation by the
11 Department and the host nation concerned of such
12 security risks, including through cost-sharing agree-
13 ments related to such mitigation.

14 **SEC. 1047. FOREIGN MILITARY TRAINING PROGRAMS.**

15 (a) **SHORT TITLE.**—This section may be cited as the
16 “Secure United States Bases Act”.

17 (b) **DEFINITIONS.**—In this section:

18 (1) **APPROPRIATE DEFENSE COMMITTEES.**—
19 The term “appropriate defense committees”
20 means—

21 (A) the Committee on Armed Services of
22 the Senate; and

23 (B) the Committee on Armed Services of
24 the House of Representatives.

1 (2) COVERED INDIVIDUALS.—The term “cov-
2 ered individuals” means any foreign national (except
3 foreign nationals of Australia, Canada, New Zea-
4 land, and the United Kingdom who have been grant-
5 ed a security clearance that is reciprocally accepted
6 by the United States for access to classified informa-
7 tion) who—

8 (A) is seeking physical access to a Depart-
9 ment of Defense installation or facility within
10 the United States; and

11 (B)(i) is selected, nominated, or accepted
12 for training or education for a period of more
13 than 30 days occurring on a Department of De-
14 fense installation or facility within the United
15 States; or

16 (ii) is an immediate family member accom-
17 panying any foreign national who has been se-
18 lected, nominated, or accepted for such training
19 or education.

20 (3) IMMEDIATE FAMILY MEMBER.—The term
21 “immediate family member” means—

22 (A) spouse;

23 (B) parents and stepparents;

24 (C) siblings, stepsiblings, and half-siblings;

25 and

1 (D) children and stepchildren.

2 (4) UNITED STATES.—The term “United
3 States” means the several States, the District of Co-
4 lumbia, the Commonwealth of Puerto Rico, and
5 Guam.

6 (c) ESTABLISHMENT OF VETTING PROCEDURES;
7 MONITORING REQUIREMENTS FOR CERTAIN MILITARY
8 TRAINING.—

9 (1) ESTABLISHMENT OF VETTING PROCE-
10 DURES.—

11 (A) IN GENERAL.—Not later than 90 days
12 after the date of the enactment of this Act, the
13 Secretary of Defense shall establish procedures
14 to vet covered individuals for eligibility for
15 physical access to Department of Defense in-
16 stallations and facilities within the United
17 States, including—

18 (i) biographic and biometric screening
19 of covered individuals;

20 (ii) continuous review of whether cov-
21 ered individuals should continue to be au-
22 thorized such physical access;

23 (iii) biographic checks of the covered
24 individual’s immediate family members;
25 and

1 (iv) any other measures that the Sec-
2 retary of Defense determines appropriate
3 for vetting.

4 (B) INFORMATION REQUIRED.—The Sec-
5 retary of Defense shall identify the information
6 required to conduct the vetting.

7 (C) COLLECTION OF INFORMATION.—The
8 Secretary of Defense shall—

9 (i) collect information to vet individ-
10 uals under the procedures established
11 under this subsection; and

12 (ii) as required for the effective imple-
13 mentation of this section, shall seek to
14 enter into agreements with the relevant
15 Federal departments and agencies to facili-
16 tate the sharing of information in the pos-
17 session of such departments and agencies
18 concerning the covered individuals.

19 (2) DETERMINATION AUTHORITY.—

20 (A) REVIEW.—The results of vetting—

21 (i) will be reviewed within the Depart-
22 ment of Defense by an organization with
23 an assigned security and counterintel-
24 ligence mission; and

1 (ii) will be the basis for that organiza-
2 tion's recommendation regarding whether
3 physical access should be authorized by the
4 appropriate authority.

5 (B) EFFECT OF DENIAL.—If the organiza-
6 tion recommends that a covered individual not
7 be authorized physical access to Department of
8 Defense installations and facilities within the
9 United States, such physical access may only be
10 authorized for such covered individual by the
11 Secretary of Defense or the Deputy Secretary
12 of Defense.

13 (C) NOTIFICATION.—The Secretary of
14 State shall be notified of any covered individ-
15 uals who are not authorized physical access
16 based on the results of the vetting under this
17 subsection.

18 (3) ADDITIONAL SECURITY MEASURES.—Begin-
19 ning on the date that is 181 days after the date of
20 the enactment of this Act, the Secretary of Defense
21 shall—

22 (A) ensure that all Department of Defense
23 Common Access Cards issued to foreign nation-
24 als in the United States—

1 (i) comply with the credentialing
2 standards issued by the Office of Personnel
3 Management; and

4 (ii) include a visual indicator, as re-
5 quired by the standard developed by the
6 National Institute of Standards and Tech-
7 nology;

8 (B) ensure that physical access by covered
9 individuals is limited, as appropriate, to De-
10 partment of Defense installations or facilities
11 within the United States that are directly asso-
12 ciated with their training or education or nec-
13 essary to access authorized benefits;

14 (C) establish a policy regarding the posses-
15 sion of firearms on Department of Defense
16 property by covered individuals; and

17 (D) ensure that covered individuals who
18 have been granted physical access are incor-
19 porated into the Department of Defense Insider
20 Threat Program.

21 (4) NOTIFICATION.—The Secretary of Defense
22 shall notify the appropriate congressional committees
23 of the establishment of the procedures required
24 under paragraph (1).

25 (d) REPORTING REQUIREMENTS.—

1 (1) BRIEFING.—Not later than 90 days after
2 the date of the enactment of this Act, the Secretary
3 of Defense shall provide a briefing to the appro-
4 priate congressional committees regarding the estab-
5 lishment of any Department of Defense policy or
6 guidance related to the implementation of this sec-
7 tion.

8 (2) REPORT.—Not later than 2 years after the
9 date of the enactment of this Act, the Secretary of
10 Defense shall submit a report to the appropriate
11 congressional committees regarding the impact and
12 effects of this section, including—

13 (A) any positive or negative impacts on the
14 training of foreign military students;

15 (B) the effectiveness of the vetting proce-
16 dures implemented in preventing harm to
17 United States military personnel or commu-
18 nities;

19 (C) how any of the negative impacts have
20 been mitigated; and

21 (D) a proposed plan to mitigate any ongo-
22 ing negative impacts to the vetting and training
23 of foreign military students by the Department
24 of Defense.

1 **SEC. 1048. REPORTING OF ADVERSE EVENTS RELATING TO**
2 **CONSUMER PRODUCTS ON MILITARY INSTAL-**
3 **LATIONS.**

4 (a) IN GENERAL.—The Secretary of Defense shall
5 ensure that any adverse event related to a consumer prod-
6 uct that occurs on a military installation is reported on
7 the internet website saferproducts.gov.

8 (b) DEFINITIONS.—In this section:

9 (1) ADVERSE EVENT.—The term “adverse
10 event” means—

11 (A) any event that indicates that a con-
12 sumer product—

13 (i) fails to comply with an applicable
14 consumer product safety rule or with a vol-
15 untary consumer product safety standard
16 upon which the Consumer Product Safety
17 Commission has relied under section 9 of
18 the Consumer Product Safety Act (15
19 U.S.C. 2058);

20 (ii) fails to comply with any other
21 rule, regulation, standard, or ban under
22 that Act or any other Act enforced by the
23 Commission;

24 (iii) contains a defect which could cre-
25 ate a substantial product hazard described

1 in section 15(a)(2) of the Consumer Prod-
 2 uct Safety Act (15 U.S.C. 2064(a)(2)); or

3 (iv) creates an unreasonable risk of
 4 serious injury or death; or

5 (B) any other harm described in subsection
 6 (b)(1)(A) of section 6A of the Consumer Prod-
 7 uct Safety Act (15 U.S.C. 2055a) and required
 8 to be reported in the database established under
 9 subsection (a) of that section.

10 (2) CONSUMER PRODUCT.—The term “con-
 11 sumer product” has the meaning given that term in
 12 section 3 of the Consumer Product Safety Act (15
 13 U.S.C. 2052).

14 **SEC. 1049. INCLUSION OF UNITED STATES NAVAL SEA**
 15 **CADET CORPS AMONG YOUTH AND CHARI-**
 16 **TABLE ORGANIZATIONS AUTHORIZED TO RE-**
 17 **CEIVE ASSISTANCE FROM THE NATIONAL**
 18 **GUARD.**

19 Section 508(d) of title 32, United States Code, is
 20 amended—

21 (1) by redesignating paragraph (14) as para-
 22 graph (15); and

23 (2) by inserting after paragraph (13) the fol-
 24 lowing new paragraph (14):

1 “(14) The United States Naval Sea Cadet
2 Corps.”.

3 **SEC. 1050. DEPARTMENT OF DEFENSE POLICY FOR THE**
4 **REGULATION OF DANGEROUS DOGS.**

5 (a) **IN GENERAL.**—Not later than 90 days after the
6 date of the enactment of this Act, the Secretary of De-
7 fense, through the Veterinary Service Activity of the De-
8 partment of Defense, shall establish a standardized policy
9 applicable across all military communities for the regula-
10 tion of dangerous dogs that is—

11 (1) breed-neutral; and

12 (2) consistent with advice from professional vet-
13 erinary and animal behavior experts in regard to ef-
14 fective regulation of dangerous dogs.

15 (b) **REGULATIONS.**—

16 (1) **IN GENERAL.**—Not later than 180 days
17 after the date of the enactment of this Act, the Sec-
18 retary shall prescribe regulations implementing the
19 policy established under subsection (a).

20 (2) **BEST PRACTICES.**—The regulations pre-
21 scribed under paragraph (1) shall include strategies,
22 for implementation within all military communities,
23 for the prevention of dog bites that are consistent
24 with the following best practices:

1 (A) Enforcement of comprehensive, non-
2 breed-specific regulations relating to dangerous
3 dogs, with emphasis on identification of dan-
4 gerous dog behavior and chronically irrespon-
5 sible owners.

6 (B) Enforcement of animal control regula-
7 tions, such as leash laws and stray animal con-
8 trol policies.

9 (C) Promotion and communication of re-
10 sources for pet spaying and neutering.

11 (D) Investment in community education
12 initiatives, such as teaching criteria for pet se-
13 lection, pet care best practices, owner respon-
14 sibilities, and safe and appropriate interaction
15 with dogs.

16 (c) **MILITARY COMMUNITIES DEFINED.**—In this sec-
17 tion, the term “military communities” means—

18 (1) all installations of the Department; and

19 (2) all military housing, including privatized
20 military housing under subchapter IV of chapter 169
21 of title 10, United States Code.

1 **SEC. 1051. SENSE OF CONGRESS ON THE BASING OF KC-46A**
2 **AIRCRAFT OUTSIDE THE CONTIGUOUS**
3 **UNITED STATES.**

4 It is the sense of Congress that the Secretary of the
5 Air Force, as part of the strategic basing process for KC-
6 46A aircraft at installations outside the contiguous United
7 States (OCONUS), should—

8 (1) consider the benefits derived from basing
9 such aircraft at locations that—

10 (A) support day-to-day air refueling oper-
11 ations, operations plans of multiple combatant
12 commands, and flexibility for contingency oper-
13 ations;

14 (B) have—

15 (i) a strategic location that is essen-
16 tial to the defense of the United States
17 and its interests;

18 (ii) receivers for boom or probe-and-
19 drogue combat training opportunities with
20 joint and international partners; and

21 (iii) sufficient airfield and airspace
22 availability and capacity to meet require-
23 ments;

24 (C) possess facilities that take full advan-
25 tage of existing infrastructure to provide—

1 (i) runway, hangars, and aircrew and
2 maintenance operations; and

3 (ii) sufficient fuel receipt, storage, and
4 distribution for 5-day peacetime operating
5 stock; and

6 (D) minimize overall construction and
7 operational costs;

8 (2) prioritize United States responsiveness and
9 flexibility to continued long-term great power com-
10 petition and other major threats, as outlined in the
11 2017 National Security Strategy and the 2018 Na-
12 tional Defense Strategy; and

13 (3) take into account the advancement of adver-
14 sary weapons systems, with respect to both capacity
15 and range.

16 **SEC. 1052. EFFICIENT USE OF SENSITIVE COMPART-**
17 **MENTED INFORMATION FACILITIES.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the Director of National Intelligence, in
20 consultation with the Secretary of Defense, shall issue re-
21 vised guidance authorizing and directing Government
22 agencies and their appropriately cleared contractors to
23 process, store, use, and discuss sensitive compartmented
24 information (SCI) at facilities previously approved to han-
25 dle such information, without need for further approval

1 by agency or by site. Such guidance shall apply to con-
2 trolled access programs of the intelligence community and
3 to special access programs of the Department of Defense.

4 **SEC. 1053. ASSISTANCE FOR FARMER AND RANCHER**
5 **STRESS AND MENTAL HEALTH OF INDIVID-**
6 **UALS IN RURAL AREAS.**

7 (a) DEFINITION OF SECRETARY.—In this section, the
8 term “Secretary” means the Secretary of Agriculture.

9 (b) FINDINGS.—Congress finds that—

10 (1) according to the Centers for Disease Con-
11 trol and Prevention, the suicide rate is 45 percent
12 greater in rural areas of the United States than the
13 suicide rate in urban areas of the United States;

14 (2) farmers face social isolation, the potential
15 for financial losses, barriers to seeking mental health
16 services, and access to lethal means to commit sui-
17 cide; and

18 (3) as commodity prices fall and farmers face
19 uncertainty, reports of farmer suicides are increas-
20 ing.

21 (c) PUBLIC SERVICE ANNOUNCEMENT CAMPAIGN TO
22 ADDRESS FARM AND RANCH MENTAL HEALTH.—

23 (1) IN GENERAL.—The Secretary, in consulta-
24 tion with the Secretary of Health and Human Serv-
25 ices, shall carry out a public service announcement

1 campaign to address the mental health of farmers
2 and ranchers.

3 (2) REQUIREMENTS.—The public service an-
4 nouncement campaign under paragraph (1) shall in-
5 clude television, radio, print, outdoor, and digital
6 public service announcements.

7 (3) CONTRACTOR.—The Secretary may enter
8 into a contract or other agreement with a third
9 party to carry out the public service announcement
10 campaign under paragraph (1).

11 (4) AUTHORIZATION OF APPROPRIATIONS.—
12 There is authorized to be appropriated to the Sec-
13 retary to carry out this subsection \$3,000,000, to re-
14 main available until expended.

15 (d) EMPLOYEE TRAINING PROGRAM TO MANAGE
16 FARMER AND RANCHER STRESS.—

17 (1) IN GENERAL.—Subtitle A of the Depart-
18 ment of Agriculture Reorganization Act of 1994 (7
19 U.S.C. 6912 et seq.) is amended by adding at the
20 end the following:

21 **“SEC. 224B. EMPLOYEE TRAINING PROGRAM TO MANAGE**
22 **FARMER AND RANCHER STRESS.**

23 “(a) IN GENERAL.—The Secretary shall establish a
24 voluntary program to train employees of the Farm Service
25 Agency, the Risk Management Agency, and the Natural

1 Resources Conservation Service in the management of
2 stress experienced by farmers and ranchers, including the
3 detection of stress and suicide prevention.

4 “(b) REQUIREMENT.—Not later than 180 days after
5 the date on which the Secretary submits a report on the
6 results of the pilot program being carried out by the Sec-
7 retary as of the date of enactment of this section to train
8 employees of the Department in the management of stress
9 experienced by farmers and ranchers, and based on the
10 recommendations contained in that report, the Secretary
11 shall develop a training program to carry out subsection
12 (a).

13 “(c) REPORT.—Not less frequently than once every
14 2 years, the Secretary shall submit to the Committee on
15 Agriculture of the House of Representatives and the Com-
16 mittee on Agriculture, Nutrition, and Forestry of the Sen-
17 ate a report describing the implementation of this sec-
18 tion.”.

19 (2) CONFORMING AMENDMENTS.—

20 (A) Subtitle A of the Department of Agri-
21 culture Reorganization Act of 1994 is amended
22 by redesignating section 225 (7 U.S.C. 6925)
23 as section 224A.

24 (B) Section 296(b) of the Department of
25 Agriculture Reorganization Act of 1994 (7

1 U.S.C. 7014(b)) is amended by adding at the
2 end the following:

3 “(11) The authority of the Secretary to carry
4 out section 224B.”.

5 (e) TASK FORCE FOR ASSESSMENT OF CAUSES OF
6 MENTAL STRESS AND BEST PRACTICES FOR RE-
7 SPONSE.—

8 (1) IN GENERAL.—The Secretary shall convene
9 a task force of agricultural and rural stakeholders at
10 the national, State, and local levels—

11 (A) to assess the causes of mental stress in
12 farmers and ranchers; and

13 (B) to identify best practices for respond-
14 ing to that mental stress.

15 (2) SUBMISSION OF REPORT.—Not later than 1
16 year after the date of enactment of this Act, the
17 task force convened under paragraph (1) shall sub-
18 mit to the Secretary a report containing the assess-
19 ment and best practices under subparagraphs (A)
20 and (B), respectively, of that paragraph.

21 (3) COLLABORATION.—In carrying out this sub-
22 section, the task force convened under paragraph (1)
23 shall collaborate with nongovernmental organizations
24 and State and local agencies.

1 **SEC. 1054. ADDITIONAL CONDITIONS AND LIMITATIONS ON**
2 **THE TRANSFER OF DEPARTMENT OF DE-**
3 **FENSE PROPERTY FOR LAW ENFORCEMENT**
4 **ACTIVITIES.**

5 (a) **ADDITIONAL TRAINING OF RECIPIENT AGENCY**
6 **PERSONNEL REQUIRED.**—Subsection (b)(6) of section
7 2576a of title 10, United States Code, is amended by in-
8 serting before the period at the end the following: “, in-
9 cluding respect for the rights of citizens under the Con-
10 stitution of the United States and de-escalation of force”.

11 (b) **CERTAIN PROPERTY NOT TRANSFERRABLE.**—
12 Such section is further amended—

13 (1) by redesignating subsections (e) and (f) as
14 subsections (f) and (g), respectively; and

15 (2) by inserting after subsection (d) the fol-
16 lowing new subsection (e):

17 “(d) **PROPERTY NOT TRANSFERRABLE.**—The Sec-
18 retary may not transfer to a Tribal, State, or local law
19 enforcement agency under this section the following:

20 “(1) Bayonets.

21 “(2) Grenades (other than stun and flash-bang
22 grenades).

23 “(3) Weaponized tracked combat vehicles.

24 “(4) Weaponized drones.”.

1 **Subtitle F—Studies and Reports**

2 **SEC. 1061. REPORT ON POTENTIAL IMPROVEMENTS TO** 3 **CERTAIN MILITARY EDUCATIONAL INSTITU-** 4 **TIONS OF THE DEPARTMENT OF DEFENSE.**

5 (a) REPORT REQUIRED.—

6 (1) IN GENERAL.—Not later than December 1,
7 2021, the Secretary of Defense shall submit to the
8 Committees on Armed Services of the Senate and
9 the House of Representatives a report setting forth
10 the results of a review and assessment, obtained by
11 the Secretary for purposes of the report, of the po-
12 tential effects on the military education provided by
13 the educational institutions of the Department of
14 Defense specified in subsection (b) of the actions de-
15 scribed in subsection (c).

16 (2) CONDUCTING ORGANIZATION.—The review
17 and assessment required for purposes of the report
18 shall be performed by an organization selected by
19 the Secretary from among organizations independent
20 of the Department that have expertise in the anal-
21 ysis of matters in connection with higher education.

22 (b) EDUCATIONAL INSTITUTIONS OF THE DEPART-
23 MENT OF DEFENSE.—The educational institutions of the
24 Department of Defense specified in this subsection are the
25 following:

1 (1) The senior level service schools and inter-
2 mediate level service schools (as such terms are de-
3 fined in section 2151(b) of title 10, United States
4 Code).

5 (2) The Air Force Institute of Technology.

6 (3) The National Defense University.

7 (4) The Joint Special Operations University.

8 (5) The Army Armament Graduate School.

9 (6) Any other military educational institution of
10 the Department specified by the Secretary for pur-
11 poses of this section.

12 (c) ACTIONS.—The actions described in this sub-
13 section with respect to the educational institutions of the
14 Department of Defense specified in subsection (b) are the
15 following:

16 (1) Modification of admission and graduation
17 requirements.

18 (2) Expansion of use of case studies in cur-
19 ricula for professional military education.

20 (3) Reduction or expansion of degree-granting
21 authority.

22 (4) Reduction or expansion of the acceptance of
23 research grants.

24 (5) Reduction of the number of attending stu-
25 dents generally.

1 (6) Modification of military personnel career
2 milestones in order to prioritize instructor positions.

3 (7) Increase in educational and performance re-
4 quirements for military personnel selected to be in-
5 structors.

6 (8) Expansion of “visiting” or “adjunct” fac-
7 ulty.

8 (9) Modification of civilian faculty management
9 practices, including employment practices.

10 (10) Reduction of the number of attending stu-
11 dents through the sponsoring of education of an in-
12 creased number of students at non-Department of
13 Defense institutions of higher education.

14 (11) Modification of enlisted personnel manage-
15 ment and career milestones to increase attendance
16 at non-Department of Defense institutions of higher
17 education

18 (d) ADDITIONAL ELEMENTS.—In addition to the
19 matters described in subsection (a), the review and report
20 under this section shall also include the following:

21 (1) A comparison of admission standards and
22 graduation requirements of the educational institu-
23 tions of the Department of Defense specified in sub-
24 section (b) with admission standards and graduation
25 requirements of public and private institutions of

1 higher education that are comparable to the edu-
2 cational institutions of the Department of Defense.

3 (2) A comparison of the goals and missions of
4 the educational institutions of the Department of
5 Defense specified in subsection (b) with the goals
6 and missions of such public and private institutions
7 of higher education.

8 (3) Any other matters the Secretary considers
9 appropriate for purposes of this section.

10 (e) JCS EVALUATION OF REVIEW AND ASSESS-
11 MENT.—Not later than 90 days after the date on which
12 the report required by subsection (a) is submitted to Con-
13 gress, the Chairman of the Joint Chiefs of Staff shall, in
14 consultation with the other members of the Joint Chiefs
15 of Staff, submit to the Committees on Armed Services of
16 the Senate and the House of Representatives a report set-
17 ting forth any evaluation by the Joint Chiefs of Staff of
18 the review and assessment covered by the report under
19 subsection (a).

20 **SEC. 1062. REPORTS ON STATUS AND MODERNIZATION OF**
21 **THE NORTH WARNING SYSTEM.**

22 (a) REPORT ON STATUS.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, the Secretary
25 of Defense shall submit to the congressional defense

1 committees a report on the status of the North
2 Warning System.

3 (2) ELEMENTS.—The report under paragraph
4 (1) shall include the following:

5 (A) A description and assessment of the
6 status and operational integrity of the infra-
7 structure of the North Warning System.

8 (B) An assessment of the technology cur-
9 rently used by the North Warning System com-
10 pared with the technology considered necessary
11 by the Commander of the North American
12 Aerospace Defense Command to detect current
13 and anticipated threats.

14 (C) An assessment of the infrastructure
15 and ability of the Alaska Radar System to inte-
16 grate into the broader North Warning System.

17 (D) An assessment of the ability of the
18 North Warning System to integrate with cur-
19 rent and anticipated space-based sensor plat-
20 forms.

21 (b) REPORT ON PLAN FOR MODERNIZATION.—

22 (1) IN GENERAL.—Not later than one year
23 after the date of the enactment of this Act, the Sec-
24 retary shall submit to the congressional defense com-
25 mittees a report setting forth a plan for the mod-

1 ernization of the capabilities provided by the current
2 North Warning System.

3 (2) ELEMENTS.—The plan under paragraph (1)
4 shall include the following:

5 (A) A detailed timeline for the moderniza-
6 tion of the North Warning System based on the
7 status of the system as reported pursuant to
8 subsection (a).

9 (B) The technological advancements nec-
10 essary for ground-based North Warning System
11 sites to address current and anticipated threats
12 (as specified by the Commander of the North
13 American Aerospace Defense Command).

14 (C) An assessment of the number of future
15 North Warning System sites required in order
16 to address current and anticipated threats (as
17 so specified).

18 (D) Any new or complementary tech-
19 nologies required to accomplish the mission of
20 the North Warning System.

21 (E) The cost and schedule, by year, of the
22 plan.

1 **SEC. 1063. STUDIES ON THE FORCE STRUCTURE FOR MA-**
2 **RINE CORPS AVIATION.**

3 (a) **STUDIES REQUIRED.**—The Secretary of Defense
4 shall provide for performance of three studies on the force
5 structure for Marine Corps aviation through 2030.

6 (b) **RESPONSIBILITY FOR STUDIES.**—One of the
7 three studies performed pursuant to subsection (a) shall
8 be performed by each of the following:

9 (1) The Secretary of the Navy, in consultation
10 with the Commandant of the Marine Corps.

11 (2) An appropriate Federally funded research
12 and development center (FFRDC), as selected by
13 the Secretary for purposes of this section.

14 (3) An appropriate organization described in
15 section 501(c)(3) of the Internal Revenue Code of
16 1986 which is exempt from taxation under section
17 501(a) of such code, as selected by the Secretary for
18 purposes of this section.

19 (c) **PERFORMANCE.**—

20 (1) **INDEPENDENT PERFORMANCE.**—Each
21 study performed pursuant to subsection (a) shall be
22 performed independently of each other such study,

23 (2) **MATTERS TO BE CONSIDERED.**—In per-
24 forming a study pursuant to subsection, the officer
25 or entity performing the study take into account,

1 within the context of the current force structure for
2 Marine Corps aviation, the following:

3 (A) The 2018 National Defense Strategy
4 and the 2018 National Military Strategy.

5 (B) The Marine Corps Force Design 2030.

6 (C) Potential roles and missions for Ma-
7 rine Corps aviation given new operating con-
8 cepts for the Marine Corps.

9 (D) The potential for increased require-
10 ments for survivable and dispersed strike air-
11 craft.

12 (E) The potential for increased require-
13 ments for tactical or intratheater lift, amphib-
14 ious lift, or surface connectors.

15 (d) STUDY RESULTS.—The results of each study per-
16 formed pursuant to subsection (a) shall include the fol-
17 lowing:

18 (1) The various force structures for Marine
19 Corps aviation through 2030 considered under such
20 study, together with the assumptions and possible
21 scenarios identified for each such force structure.

22 (2) A recommendation for the force structure
23 for Marine Corps aviation through 2030, including
24 the following in connection with such force structure:

1 (A) Numbers and type of aviation assets,
2 numbers and types of associated unmanned as-
3 sets, and basic capabilities of each such asset.

4 (B) A description and assessment of the
5 deviation of such force structure from the most
6 recent Marine Corps Aviation Plan.

7 (C) Any other information required for as-
8 sessment of such force structure, including sup-
9 porting analysis.

10 (3) A presentation and discussion of minority
11 views among participants in such study.

12 (e) REPORT.—

13 (1) IN GENERAL.—Not later than April 1,
14 2021, the Secretary of Defense shall submit to the
15 congressional defense committees a report setting
16 forth the results of each study performed pursuant
17 to subsection (a).

18 (2) FORM.—The report under this subsection
19 shall be submitted in unclassified form, but may in-
20 clude a classified annex.

21 **SEC. 1064. STUDY ON UNEMPLOYMENT RATE OF FEMALE**
22 **VETERANS WHO SERVED ON ACTIVE DUTY IN**
23 **THE ARMED FORCES AFTER SEPTEMBER 11,**
24 **2001.**

25 (a) STUDY.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Veterans Affairs, in consultation with the
4 Bureau of Labor Statistics of the Department of
5 Labor, shall conduct a study on why Post-9/11 Vet-
6 erans who are female are at higher risk of unem-
7 ployment than all other groups of female veterans
8 and their non-veteran counterparts.

9 (2) CONDUCT OF STUDY.—

10 (A) IN GENERAL.—The Secretary shall
11 conduct the study under paragraph (1) pri-
12 marily through the Center for Women Veterans
13 under section 318 of title 38, United States
14 Code.

15 (B) CONSULTATION.—In carrying out the
16 study conducted under paragraph (1), the Sec-
17 retary may consult with—

18 (i) other Federal agencies, such as the
19 Department of Defense, the Office of Per-
20 sonnel Management, and the Small Busi-
21 ness Administration;

22 (ii) foundations; and

23 (iii) entities in the private sector.

24 (3) ELEMENTS OF STUDY.—The study con-
25 ducted under paragraph (1) shall include, with re-

1 spect to Post-9/11 Veterans who are female, at a
2 minimum, an analysis of the following:

3 (A) Rank at time of separation from the
4 Armed Forces.

5 (B) Geographic location upon such separa-
6 tion.

7 (C) Educational level upon such separa-
8 tion.

9 (D) The percentage of such veterans who
10 enrolled in an education or employment training
11 program of the Department of Veterans Affairs
12 or the Department of Labor after such separa-
13 tion.

14 (E) Industries that have employed such
15 veterans.

16 (F) Military occupational specialties avail-
17 able to such veterans.

18 (G) Barriers to employment of such vet-
19 erans.

20 (H) Causes to fluctuations in employment
21 of such veterans.

22 (I) Current employment training programs
23 of the Department of Veterans Affairs or the
24 Department of Labor that are available to such
25 veterans.

1 (J) Economic indicators that impact unem-
2 ployment of such veterans.

3 (K) Health conditions of such veterans
4 that could impact employment.

5 (L) Whether there are differences in the
6 analyses conducted under subparagraphs (A)
7 through (K) based on the race of such veteran.

8 (M) The difference between unemployment
9 rates of Post-9/11 Veterans who are female
10 compared to unemployment rates of Post-9/11
11 Veterans who are male, including an analysis of
12 potential causes of such difference.

13 (b) REPORT.—

14 (1) IN GENERAL.—Not later than 90 days after
15 completing the study under subsection (a), the Sec-
16 retary shall submit to the Committee on Veterans'
17 Affairs of the Senate and the Committee on Vet-
18 erans' Affairs of the House of Representatives a re-
19 port on such study.

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

22 (A) The analyses conducted under sub-
23 section (a)(3).

24 (B) A description of the methods used to
25 conduct the study under subsection (a).

1 (C) Such other matters relating to the un-
2 employment rates of Post-9/11 Veterans who
3 are female as the Secretary considers appro-
4 priate.

5 (c) POST-9/11 VETERAN DEFINED.—In this section,
6 the term “Post-9/11 Veteran” means a veteran who served
7 on active duty in the Armed Forces on or after September
8 11, 2001.

9 **SEC. 1065. REPORT ON GREAT LAKES AND INLAND WATER-**
10 **WAYS SEAPORTS.**

11 (a) REPORT REQUIRED.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Sec-
14 retary of Homeland Security shall submit a report to
15 the Committee on Homeland Security and Govern-
16 mental Affairs of the Senate and the Committee on
17 Homeland Security of the House of Representatives
18 containing the results of the review and an expla-
19 nation of the methodology used for the review con-
20 ducted pursuant to subsection (b) regarding the
21 screening practices for foreign cargo arriving at sea-
22 ports on the Great Lakes and inland waterways.

23 (2) FORM.—The report required under para-
24 graph (1) shall be submitted in unclassified form, to

1 the maximum extent possible, but may include a
2 classified annex, if necessary.

3 (b) SCOPE OF REVIEW.—

4 (1) SEAPORT SELECTION.—In selecting sea-
5 ports on inland waterways to include in the review
6 under this subsection, the Secretary of Homeland
7 Security shall ensure that the inland waterways sea-
8 ports are—

9 (A) equal in number to the Great Lakes
10 seaports included in the review;

11 (B) comparable to Great Lakes seaports
12 included in the review, as measured by number
13 of imported shipments arriving at the seaport
14 each year; and

15 (C) covered by at least the same number of
16 Field Operations offices as the Great Lakes
17 seaports included in the review, but are not cov-
18 ered by the same Field Operations offices as
19 such Great Lakes seaports.

20 (2) ELEMENTS.—The Secretary of Homeland
21 Security shall conduct a review of all Great Lakes
22 and selected inland waterways seaports that receive
23 international cargo—

24 (A) to determine, for each such seaport—

1 (i) the current screening capability,
2 including the types and numbers of screen-
3 ing equipment and whether such equip-
4 ment is physically located at a seaport or
5 assigned and available in the area and
6 made available to use;

7 (ii) the number of U.S. Customs and
8 Border Protection personnel assigned from
9 a Field Operations office, broken out by
10 role;

11 (iii) the expenditures for procurement
12 and overtime incurred by U.S. Customs
13 and Border Protection during the most re-
14 cent fiscal year;

15 (iv) the types of cargo received, such
16 as containerized, break-bulk, and bulk;

17 (v) the legal entity that owns the sea-
18 port;

19 (vi) a description of U.S. Customs
20 and Border Protection's use of space at
21 the seaport, including—

22 (I) whether U.S. Customs and
23 Border Protection or the General
24 Services Administration owns or
25 leases any facilities; and

1 (II) if U.S. Customs and Border
2 Protection is provided space at the
3 seaport, a description of such space,
4 including the number of workstations;
5 and
6 (vii) the current cost-sharing arrange-
7 ment for screening technology or reimburs-
8 able services;

9 (B) to identify, for each Field Operations
10 office—

11 (i) any ports of entry that are staffed
12 remotely from service ports;

13 (ii) the distance of each such service
14 port from the corresponding ports of entry;
15 and

16 (iii) the number of officers and the
17 types of equipment U.S. Customs and Bor-
18 der Protection utilizes to screen cargo en-
19 tering or exiting through such ports; and

20 (C) that includes a threat assessment of
21 incoming containerized and noncontainerized
22 cargo at Great Lakes seaports and selected in-
23 land waterways seaports.

1 **SEC. 1066. REPORT ON THE CHEMICAL AND BIOLOGICAL**
2 **DEFENSE PROGRAM OF THE DEPARTMENT**
3 **OF DEFENSE.**

4 (a) REPORT REQUIRED.—Not later than 60 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall submit to the congressional defense com-
7 mittees a report on the Chemical and Biological Defense
8 Program of the Department of Defense.

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

11 (1) An assessment of the significance of the
12 Chemical and Biological Defense Program within the
13 2018 National Defense Strategy.

14 (2) A description and assessment of the threats
15 the Chemical and Biological Defense Program is de-
16 signed to address.

17 (3) An assessment of the capacity of current
18 Chemical and Biological Defense Program facilities
19 to complete their missions if funding levels for the
20 Program are reduced.

21 (4) An estimate of the length of time required
22 to return the Chemical and Biological Defense Pro-
23 gram to its current capacity if funding levels re-
24 duced for the Program as described in paragraph
25 (3) are restored.

1 (5) An assessment of the threat posed to mem-
2 bers of the Armed Forces as a result of a reduction
3 in testing of gear for field readiness by the Chemical
4 and Biological Defense Program by reason of re-
5 duced funding levels for the Program.

6 (6) A description and assessment of the neces-
7 sity of Non Traditional Agent Defense Testing
8 under the Chemical and Biological Defense Program
9 for Individual Protection Systems, Collective Protec-
10 tion Systems, field decontamination systems, and
11 chemical agent detectors.

12 (c) FORM.—The report required by subsection (a)
13 shall be submitted in classified form, available for review
14 by any Member of Congress, but shall include an unclassi-
15 fied summary.

16 **SEC. 1067. REPORT ON ROUND-THE-CLOCK AVAILABILITY**
17 **OF CHILDCARE FOR MEMBERS OF THE**
18 **ARMED FORCES AND CIVILIAN EMPLOYEES**
19 **OF THE DEPARTMENT OF DEFENSE WHO**
20 **WORK ROTATING SHIFTS.**

21 (a) IN GENERAL.—Not later than 270 days after the
22 date of the enactment of this Act, the Secretary of Defense
23 shall submit to the Committees on Armed Services of the
24 Senate and the House of Representatives a report setting
25 forth the results of a study, conducted by the Secretary

1 for purposes of the report, on the feasibility and advis-
2 ability of making round-the-clock childcare available for
3 children of members of the Armed Forces and civilian em-
4 ployees of the Department of Defense who works on rotat-
5 ing shifts at military installations.

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

8 (1) The results of the study described in that
9 subsection.

10 (2) If the Secretary determines that making
11 round-the-clock childcare available as described in
12 subsection (a) is feasible and advisable, such matters
13 as the Secretary considers appropriate in connection
14 with making such childcare available, including—

15 (A) an identification of the installations at
16 which such childcare would be beneficial to
17 members of the Armed Forces, civilian employ-
18 ees of the Department, or both;

19 (B) an identification of any barriers to
20 making such childcare available at the installa-
21 tions identified pursuant to subparagraph (A);

22 (C) an assessment whether the childcare
23 needs of members of the Armed Forces and ci-
24 vilian employees of the Department described in

1 subsection (a) would be better met by an in-
2 crease in assistance for childcare fees;

3 (D) a description and assessment of the
4 actions, if any, being taken to make such
5 childcare available at the installations identified
6 pursuant to subparagraph (A); and

7 (E) such recommendations for legislative
8 or administrative action as the Secretary con-
9 siderers appropriate to make such childcare avail-
10 able at the installations identified pursuant to
11 subparagraph (A), or at any other military in-
12 stallations.

13 **Subtitle G—Other Matters**

14 **SEC. 1081. DEPARTMENT OF DEFENSE STRATEGIC ARCTIC** 15 **PORTS.**

16 (a) REPORT.—Not later than March 1, 2021, the
17 Secretary of Defense shall submit to the congressional de-
18 fense committees a report setting forth an updated assess-
19 ment of the estimated cost of constructing, maintaining,
20 and operating a strategic port in the Arctic at each poten-
21 tial site evaluated in the report pursuant to section
22 1752(b) of the National Defense Authorization Act for
23 Fiscal Year 2020 (Public Law 116–92). The report under
24 this subsection shall include, for each potential site at
25 which construction of such a port could be completed by

1 2030, an estimate of the number of days per year that
2 such port would be usable by vessels of the Navy and the
3 Coast Guard.

4 (b) DESIGNATION OF STRATEGIC ARCTIC PORTS.—

5 Not later than 90 days after the date on which the report
6 required by subsection (a) is submitted, the Secretary of
7 Defense may, in consultation with the Chairman of the
8 Joint Chiefs of Staff, the Commanding General of the
9 United States Army Corps of Engineers, the Commandant
10 of the Coast Guard, and the Administrator of the Mari-
11 time Administration, designate one or more ports as De-
12 partment of Defense Strategic Arctic Ports from the sites
13 identified in the report referred to in subsection (a).

14 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion may be construed to authorize any additional appro-
16 priations for the Department of Defense for the establish-
17 ment of any port designated pursuant to this section.

18 (d) ARCTIC DEFINED.—In this section, the term
19 “Arctic” has the meaning given that term in section 112
20 of the Arctic Research and Policy Act of 1984 (15 U.S.C.
21 4111).

22 **SEC. 1082. PERSONAL PROTECTIVE EQUIPMENT MATTERS.**

23 (a) BRIEFINGS ON FIELDING OF NEWEST GENERA-
24 TIONS OF PPE TO THE ARMED FORCES.—

1 (1) BRIEFINGS REQUIRED.—Not later than
2 January 31, 2021, each Secretary of a military de-
3 partment shall submit to Congress a briefing on the
4 fielding of the newest generations of personal protec-
5 tive equipment (PPE) to the Armed Forces under
6 the jurisdiction of such Secretary.

7 (2) ELEMENTS.—Each briefing under para-
8 graph (1) shall include, for each Armed Force cov-
9 ered by such briefing, the following:

10 (A) A description and assessment of the
11 fielding of newest generations of personal pro-
12 tective equipment to members of such Armed
13 Force, including the following:

14 (i) The number (aggregated by total
15 number and by sex) of members of such
16 Armed Force issued the Army Soldiers
17 Protective System and the Modular Scal-
18 able Vest Generation II body armor as of
19 December 31, 2020.

20 (ii) The number (aggregated by total
21 number and by sex) of members of such
22 Armed Force issued Marine Corps Plate
23 Carrier Generation III (PC Gen III) body
24 armor as of that date.

1 (iii) The number (aggregated by total
2 number and by sex) of members of such
3 Armed Force fitted with legacy personal
4 protective equipment as of that date.

5 (B) A description and assessment of the
6 barriers, if any, to the fielding of such genera-
7 tions of equipment to such members.

8 (C) A description and assessment of chal-
9 lenges in the fielding of such generations of
10 equipment to such members, including cost
11 overruns, contractor delays, and other chal-
12 lenges.

13 (b) SYSTEM FOR TRACKING DATA ON INJURIES
14 AMONG MEMBERS OF THE ARMED FORCES IN USE OF
15 NEWEST GENERATION PPE.—

16 (1) SYSTEM REQUIRED.—

17 (A) IN GENERAL.—The Director of the
18 Defense Health Agency (DHA) shall develop
19 and maintain a system for tracking data on in-
20 juries among members of the Armed Forces in
21 and during the use of newest generation per-
22 sonal protective equipment.

23 (B) SCOPE OF SYSTEM.—The system re-
24 quired by this paragraph may, at the election of
25 the Director, be new for purposes of this sub-

1 section or within or a modification of an appro-
2 priate existing system (such as the Defense Oc-
3 cupational And Environmental Health Readiness
4 System (DOEHRS)).

5 (2) BRIEFING.—Not later than January 31,
6 2025, the Director shall submit to Congress a brief-
7 ing on the prevalence among members of the Armed
8 Forces of preventable injuries attributable to ill-fit-
9 ting or malfunctioning personal protective equip-
10 ment.

11 (c) ASSESSMENTS OF MEMBERS OF THE ARMED
12 FORCES OF INJURIES INCURRED IN CONNECTION WITH
13 ILL-FITTING OR MALFUNCTIONING PPE.—

14 (1) IN GENERAL.—Each health assessment
15 specified in paragraph (2) that is undertaken after
16 the date of the enactment of this Act shall include
17 the following:

18 (A) One or more questions on whether
19 members incurred an injury in connection with
20 ill-fitting or malfunctioning personal protective
21 equipment during the period covered by such
22 assessment, including the nature of such injury.

23 (B) In the case members who have so in-
24 curred such an injury, one or more elements of
25 self-evaluation of such injury by such members

1 for purposes of facilitating timely documenta-
2 tion and enhanced monitoring of such members
3 and injuries.

4 (2) ASSESSMENTS.—The health assessments
5 specified in this paragraph are the following:

6 (A) The annual Periodic Health Assess-
7 ment (PHA) of members of the Armed Forces.

8 (B) The post-deployment health assess-
9 ment of members of the Armed Forces.

10 **SEC. 1083. ESTIMATE OF DAMAGES FROM FEDERAL COM-**
11 **MUNICATIONS COMMISSION ORDER 20–48.**

12 (a) LIMITATION, ESTIMATE, AND CERTIFICATION.—
13 None of the funds authorized to be appropriated by this
14 Act for fiscal year 2021 may be used by the Secretary
15 of Defense to comply with the Order and Authorization
16 adopted by the Federal Communications Commission on
17 April 19, 2020 (FCC 20–48) until the Secretary—

18 (1) submits to the congressional defense com-
19 mittees an estimate of the extent of covered costs
20 and the range of eligible reimbursable costs associ-
21 ated with interference resulting from such order and
22 authorization to the Global Positioning System of
23 the Department of Defense; and

24 (2) certifies to the congressional defense com-
25 mittees that the estimate submitted under para-

1 graph (1) is accurate with a high degree of cer-
2 tainty.

3 (b) COVERED COSTS.—For purposes of this section,
4 covered costs include costs that would be incurred—

5 (1) to upgrade, repair, or replace potentially af-
6 fected receivers of the Federal Government;

7 (2) to modify, repair, or replace equipment,
8 spares, associated ancillary equipment, software, fa-
9 cilities, operating manuals, training, or compliance
10 with regulations, including with regard to the under-
11 lying platform or system in which a capability of the
12 Global Positioning System is embedded; and

13 (3) for personnel of the Department to engi-
14 neer, validate, and verify that any required remedi-
15 ation provides the Department with the same oper-
16 ational capability for the affected system prior to
17 terrestrial operation in the 1525 to 1559 megahertz
18 or 1626.5 to 1660.5 megahertz bands of electro-
19 magnetic spectrum.

20 (c) RANGE OF ELIGIBLE REIMBURSABLE COSTS.—
21 For purposes of this section, the range of eligible reim-
22 bursable costs includes—

23 (1) costs associated with engineering, equip-
24 ment, software, site acquisition, and construction;

1 (2) any transaction expense that the Secretary
2 determines is legitimate and prudent;

3 (3) costs relating to term-limited Federal civil
4 servant and contractor staff; and

5 (4) the costs of research, engineering studies, or
6 other expenses the Secretary determines reasonably
7 incurred.

8 **SEC. 1084. MODERNIZATION EFFORT.**

9 (a) DEFINITIONS.—In this section—

10 (1) the term “Assistant Secretary” means the
11 Assistant Secretary of Commerce for Communica-
12 tions and Information;

13 (2) the term “covered agency”—

14 (A) means any Federal entity that the As-
15 sistant Secretary determines is appropriate; and

16 (B) includes the Department of Defense;

17 (3) the term “Federal entity” has the meaning
18 given the term in section 113(l) of the National
19 Telecommunications and Information Administration
20 Organization Act (47 U.S.C. 923(l));

21 (4) the term “Federal spectrum” means fre-
22 quencies assigned on a primary basis to a covered
23 agency;

1 (5) the term “infrastructure” means informa-
2 tion technology systems and information tech-
3 nologies, tools, and databases; and

4 (6) the term “NTIA” means the National Tele-
5 communications and Information Administration.

6 (b) INITIAL INTERAGENCY SPECTRUM INFORMATION
7 TECHNOLOGY COORDINATION.—Not later than 90 days
8 after the date of enactment of this Act, the Assistant Sec-
9 retary, in consultation with the Policy and Plans Steering
10 Group, shall identify a process to establish goals, including
11 parameters to measure the achievement of those goals, for
12 the modernization of the infrastructure of covered agen-
13 cies relating to managing the use of Federal spectrum by
14 those agencies, which shall include—

15 (1) the standardization of data inputs, modeling
16 algorithms, modeling and simulation processes, anal-
17 ysis tools with respect to Federal spectrum, assump-
18 tions, and any other tool to ensure interoperability
19 and functionality with respect to that infrastructure;

20 (2) other potential innovative technological ca-
21 pabilities with respect to that infrastructure, includ-
22 ing cloud-based databases, artificial intelligence tech-
23 nologies, automation, and improved modeling and
24 simulation capabilities;

1 (3) ways to improve the management of covered
2 agencies' use of Federal spectrum through that in-
3 frastructure, including by—

4 (A) increasing the efficiency of that infra-
5 structure;

6 (B) addressing validation of usage with re-
7 spect to that infrastructure;

8 (C) increasing the accuracy of that infra-
9 structure;

10 (D) validating models used by that infra-
11 structure; and

12 (E) monitoring and enforcing requirements
13 that are imposed on covered agencies with re-
14 spect to the use of Federal spectrum by covered
15 agencies;

16 (4) ways to improve the ability of covered agen-
17 cies to meet mission requirements in congested envi-
18 ronments with respect to Federal spectrum, includ-
19 ing as part of automated adjustments to operations
20 based on changing conditions in those environments;

21 (5) the creation of a time-based automated
22 mechanism—

23 (A) to share Federal spectrum between
24 covered agencies to collaboratively and dynami-

1 cally increase access to Federal spectrum by
2 those agencies; and

3 (B) that could be scaled across Federal
4 spectrum; and

5 (6) the collaboration between covered agencies
6 necessary to ensure the interoperability of Federal
7 spectrum.

8 (c) SPECTRUM INFORMATION TECHNOLOGY MOD-
9 ERNIZATION.—

10 (1) IN GENERAL.—Not later than 240 days
11 after the date of enactment of this Act, the Assist-
12 ant Secretary shall submit to Congress a report that
13 contains the plan of the NTIA to modernize and
14 automate the infrastructure of the NTIA relating to
15 managing the use of Federal spectrum by covered
16 agencies so as to more efficiently manage that use.

17 (2) CONTENTS.—The report required under
18 paragraph (1) shall include—

19 (A) an assessment of the current, as of the
20 date on which the report is submitted, infra-
21 structure of the NTIA described in that para-
22 graph;

23 (B) an acquisition strategy for the modern-
24 ized infrastructure of the NTIA described in
25 that paragraph, including how that modernized

1 infrastructure will enable covered agencies to be
2 more efficient and effective in the use of Fed-
3 eral spectrum;

4 (C) a timeline for the implementation of
5 the modernization efforts described in that
6 paragraph;

7 (D) plans detailing how the modernized in-
8 frastructure of the NTIA described in that
9 paragraph will—

10 (i) enhance the security and reliability
11 of that infrastructure so that such infra-
12 structure satisfies the requirements of sub-
13 chapter II of chapter 35 of title 44, United
14 States Code;

15 (ii) improve data models and analysis
16 tools to increase the efficiency of the spec-
17 trum use described in that paragraph;

18 (iii) enhance automation and
19 workflows, and reduce the scope and level
20 of manual effort, in order to—

21 (I) administer the management
22 of the spectrum use described in that
23 paragraph; and

24 (II) improve data quality and
25 processing time; and

1 (iv) improve the timeliness of spec-
2 trum analyses and requests for informa-
3 tion, including requests submitted pursu-
4 ant to section 552 of title 5, United States
5 Code;

6 (E) an operations and maintenance plan
7 with respect to the modernized infrastructure of
8 the NTIA described in that paragraph;

9 (F) a strategy for coordination between the
10 covered agencies within the Policy and Plans
11 Steering Group, which shall include—

12 (i) a description of—

13 (I) those coordination efforts, as
14 in effect on the date on which the re-
15 port is submitted; and

16 (II) a plan for coordination of
17 those efforts after the date on which
18 the report is submitted, including with
19 respect to the efforts described in sub-
20 section (d);

21 (ii) a plan for standardizing—

22 (I) electromagnetic spectrum
23 analysis tools;

24 (II) modeling and simulation
25 processes and technologies; and

1 (III) databases to provide tech-
2 nical interference assessments that
3 are usable across the Federal Govern-
4 ment as part of a common spectrum
5 management infrastructure for cov-
6 ered agencies;

7 (iii) a plan for each covered agency to
8 implement a modernization plan described
9 in subsection (d)(1) that is tailored to the
10 particular timeline of the agency;

11 (G) identification of manually intensive
12 processes involved in managing Federal spec-
13 trum and proposed enhancements to those proc-
14 esses;

15 (H) metrics to evaluate the success of the
16 modernization efforts described in that para-
17 graph and any similar future efforts; and

18 (I) an estimate of the cost of the mod-
19 ernization efforts described in that paragraph
20 and any future maintenance with respect to the
21 modernized infrastructure of the NTIA de-
22 scribed in that paragraph, including the cost of
23 any personnel and equipment relating to that
24 maintenance.

25 (d) INTERAGENCY INPUTS.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the head of each
3 covered agency shall submit to the Assistant Sec-
4 retary and the Policy and Plans Steering Group a
5 report that describes the plan of the agency to mod-
6 ernize the infrastructure of the agency with respect
7 to the use of Federal spectrum by the agency so that
8 such modernized infrastructure of the agency is
9 interoperable with the modernized infrastructure of
10 the NTIA, as described in subsection (c).

11 (2) CONTENTS.—Each report submitted by the
12 head of a covered agency under paragraph (1)
13 shall—

14 (A) include—

15 (i) an assessment of the current, as of
16 the date on which the report is submitted,
17 management capabilities of the agency
18 with respect to the use of frequencies that
19 are assigned to the agency, which shall in-
20 clude a description of any challenges faced
21 by the agency with respect to that manage-
22 ment;

23 (ii) a timeline for completion of the
24 modernization efforts described in that
25 paragraph; and

1 (iii) a description of potential innova-
2 tive technological capabilities for the man-
3 agement of frequencies that are assigned
4 to the agency, as determined under sub-
5 section (b);

6 (iv) identification of agency-specific
7 requirements or constraints relating to the
8 infrastructure of the agency;

9 (v) identification of any existing, as of
10 the date on which the report is submitted,
11 systems of the agency that are duplicative
12 of the modernized infrastructure of the
13 NTIA, as proposed under subsection (c);
14 and

15 (vi) with respect to the report sub-
16 mitted by the Secretary of Defense—

17 (I) a strategy for the integration
18 of systems or the flow of data among
19 the Armed Forces, the military de-
20 partments, the Defense Agencies and
21 Department of Defense Field Activi-
22 ties, and other components of the De-
23 partment of Defense;

24 (II) a plan for the implementa-
25 tion of solutions to the use of Federal

1 spectrum by the Department of De-
2 fense involving information at multiple
3 levels of classification; and

4 (III) a strategy for addressing,
5 within the modernized infrastructure
6 of the Department of Defense de-
7 scribed in that paragraph, the ex-
8 change of information between the
9 Department of Defense and the NTLA
10 in order to accomplish required proc-
11 essing of all Department of Defense
12 domestic spectrum coordination and
13 management activities; and

14 (B) be submitted in an unclassified format,
15 with a classified annex, as appropriate.

16 (3) NOTIFICATION OF CONGRESS.—Upon sub-
17 mission of the report required under paragraph (1),
18 the head of each covered agency shall notify Con-
19 gress that the head of the covered agency has sub-
20 mitted the report.

21 (e) GAO OVERSIGHT.—The Comptroller General of
22 the United States shall—

23 (1) not later than 90 days after the date of en-
24 actment of this Act, conduct a review of the infra-

1 structure of covered agencies, as that infrastructure
2 exists on the date of enactment of this Act;

3 (2) after all of the reports required under sub-
4 section (d) have been submitted, conduct oversight
5 of the implementation of the modernization plans
6 submitted by the NTLA and covered agencies under
7 subsections (c) and (d), respectively;

8 (3) not later than 1 year after the date on
9 which the Comptroller General begins conducting
10 oversight under paragraph (2), and annually there-
11 after, submit a report regarding that oversight to—

12 (A) with respect to the implementation of
13 the modernization plan of the Department of
14 Defense, the Committee on Armed Services of
15 the Senate and the Committee on Armed Serv-
16 ices of the House of Representatives; and

17 (B) with respect to the implementation of
18 the modernization plans of all covered agencies,
19 including the Department of Defense, the Com-
20 mittee on Commerce, Science, and Transpor-
21 tation of the Senate and the Committee on En-
22 ergy and Commerce of the House of Represent-
23 atives; and

24 (4) provide regular briefings to—

1 (A) with respect to the application of this
2 section to the Department of Defense, the Com-
3 mittee on Armed Services of the Senate and the
4 Committee on Armed Services of the House of
5 Representatives; and

6 (B) with respect to the application of this
7 section to all covered agencies, including the
8 Department of Defense, the Committee on
9 Commerce, Science, and Transportation of the
10 Senate and the Committee on Energy and Com-
11 merce of the House of Representatives.

12 **SEC. 1085. SENSE OF SENATE ON GOLD STAR FAMILIES RE-**
13 **MEMBRANCE WEEK.**

14 (a) FINDINGS.—The Senate makes the following
15 findings:

16 (1) The last Sunday in September—

17 (A) is designated as “Gold Star Mother’s
18 Day” under section 111 of title 36, United
19 States Code; and

20 (B) was first designated as “Gold Star
21 Mother’s Day” under the Joint Resolution enti-
22 tled “Joint Resolution designating the last Sun-
23 day in September as ‘Gold Star Mother’s Day’,
24 and for other purposes”, approved June 23,
25 1936 (49 Stat. 1895).

1 (2) There is no date dedicated to families af-
2 fected by the loss of a loved one who died in service
3 to the United States.

4 (3) A gold star symbolizes a family member
5 who died in the line of duty while serving in the
6 Armed Forces.

7 (4) The members and veterans of the Armed
8 Forces, through their service, bear the burden of
9 protecting the freedom of the people of the United
10 States.

11 (5) The selfless example of the service of the
12 members and veterans of the Armed Forces, as well
13 as the sacrifices made by the families of those indi-
14 viduals, inspires all individuals in the United States
15 to sacrifice and work diligently for the good of the
16 United States.

17 (6) The sacrifices of the families of the fallen
18 members of the Armed Forces and the families of
19 veterans of the Armed Forces should never be for-
20 gotten.

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

23 (1) designates the week of September 20
24 through September 26, 2020, as “Gold Star Fami-
25 lies Remembrance Week”;

1 (2) honors and recognizes the sacrifices made
2 by—

3 (A) the families of members of the Armed
4 Forces who made the ultimate sacrifice in order
5 to defend freedom and protect the United
6 States; and

7 (B) the families of veterans of the Armed
8 Forces; and

9 (3) encourages the people of the United States
10 to observe Gold Star Families Remembrance Week
11 by—

12 (A) performing acts of service and good
13 will in their communities; and

14 (B) celebrating families in which loved
15 ones made the ultimate sacrifice so that others
16 could continue to enjoy life, liberty, and the
17 pursuit of happiness.

18 **SEC. 1086. CONTINUITY OF THE ECONOMY PLAN.**

19 (a) REQUIREMENT.—

20 (1) IN GENERAL.—The President shall develop
21 and maintain a plan to maintain and restore the
22 economy of the United States in response to a sig-
23 nificant event.

24 (2) PRINCIPLES.—The plan required under
25 paragraph (1) shall—

- 1 (A) be consistent with—
2 (i) a free market economy; and
3 (ii) the rule of law; and
4 (B) respect private property rights.

5 (3) CONTENTS.—The plan required under para-
6 graph (1) shall—

7 (A) examine the distribution of goods and
8 services across the United States necessary for
9 the reliable functioning of the United States
10 during a significant event;

11 (B) identify the economic functions of rel-
12 evant actors, the disruption, corruption, or dys-
13 function of which would have a debilitating ef-
14 fect in the United States on—

- 15 (i) security;
16 (ii) economic security;
17 (iii) defense readiness; or
18 (iv) public health or safety;

19 (C) identify the critical distribution mecha-
20 nisms for each economic sector that should be
21 prioritized for operation during a significant
22 event, including—

- 23 (i) bulk power and electric trans-
24 mission systems;

- 1 (ii) national and international finan-
2 cial systems, including wholesale payments,
3 stocks, and currency exchanges;
- 4 (iii) national and international com-
5 munications networks, data-hosting serv-
6 ices, and cloud services;
- 7 (iv) interstate oil and natural gas
8 pipelines; and
- 9 (v) mechanisms for the interstate and
10 international trade and distribution of ma-
11 terials, food, and medical supplies, includ-
12 ing road, rail, air, and maritime shipping;
- 13 (D) identify economic functions of relevant
14 actors, the disruption, corruption, or dysfunc-
15 tion of which would cause—
- 16 (i) catastrophic economic loss;
- 17 (ii) the loss of public confidence; or
- 18 (iii) the widespread imperilment of
19 human life;
- 20 (E) identify the economic functions of rel-
21 evant actors that are so vital to the economy of
22 the United States that the disruption, corrup-
23 tion, or dysfunction of those economic functions
24 would undermine response, recovery, or mobili-
25 zation efforts during a significant event;

1 (F) incorporate, to the greatest extent
2 practicable, the principles and practices con-
3 tained within Federal plans for the continuity
4 of Government and continuity of operations;

5 (G) identify—

6 (i) industrial control networks on
7 which the interests of national security
8 outweigh the benefits of dependence on
9 internet connectivity, including networks
10 that are required to maintain defense read-
11 iness; and

12 (ii) for each industrial control network
13 described in clause (i), the most feasible
14 and optimal locations for the installation
15 of—

16 (I) parallel services;

17 (II) stand-alone analog services;

18 and

19 (III) services that are otherwise
20 hardened against failure;

21 (H) identify critical economic sectors for
22 which the preservation of data in a protected,
23 verified, and uncorrupted status would be re-
24 quired for the quick recovery of the economy of

1 the United States in the face of a significant
2 disruption following a significant event;

3 (I) include a list of raw materials, indus-
4 trial goods, and other items, the absence of
5 which would significantly undermine the ability
6 of the United States to sustain the functions
7 described in subparagraphs (B), (D), and (E);

8 (J) provide an analysis of supply chain di-
9 versification for the items described in subpara-
10 graph (I) in the event of a disruption caused by
11 a significant event;

12 (K) include—

13 (i) a recommendation as to whether
14 the United States should maintain a stra-
15 tegic reserve of 1 or more of the items de-
16 scribed in subparagraph (I); and

17 (ii) for each item described in sub-
18 paragraph (I) for which the President rec-
19 ommends maintaining a strategic reserve
20 under clause (i), an identification of mech-
21 anisms for tracking inventory and avail-
22 ability of the item in the strategic reserve;

23 (L) identify mechanisms in existence on
24 the date of enactment of this Act and mecha-
25 nisms that can be developed to ensure that the

1 swift transport and delivery of the items de-
2 scribed in subparagraph (I) is feasible in the
3 event of a distribution network disturbance or
4 degradation, including a distribution network
5 disturbance or degradation caused by a signifi-
6 cant event;

7 (M) include guidance for determining the
8 prioritization for the distribution of the items
9 described in subparagraph (I), including dis-
10 tribution to States and Indian Tribes;

11 (N) consider the advisability and feasibility
12 of mechanisms for extending the credit of the
13 United States or providing other financial sup-
14 port authorized by law to key participants in
15 the economy of the United States if the exten-
16 sion or provision of other financial support—

17 (i) is necessary to avoid severe eco-
18 nomic degradation; or

19 (ii) allows for the recovery from a sig-
20 nificant event;

21 (O) include guidance for determining cat-
22 egories of employees that should be prioritized
23 to continue to work in order to sustain the
24 functions described in subparagraphs (B), (D),
25 and (E) in the event that there are limitations

1 on the ability of individuals to travel to work-
2 places or to work remotely, including consider-
3 ations for defense readiness;

4 (P) identify critical economic sectors nec-
5 essary to provide material and operational sup-
6 port to the defense of the United States;

7 (Q) determine whether the Secretary of
8 Homeland Security, the National Guard, and
9 the Secretary of Defense have adequate author-
10 ity to assist the United States in a recovery
11 from a severe economic degradation caused by
12 a significant event;

13 (R) review and assess the authority and
14 capability of heads of other agencies that the
15 President determines necessary to assist the
16 United States in a recovery from a severe eco-
17 nomic degradation caused by a significant
18 event; and

19 (S) consider any other matter that would
20 aid in protecting and increasing the resilience of
21 the economy of the United States from a sig-
22 nificant event.

23 (b) COORDINATION.—In developing the plan required
24 under subsection (a)(1), the President shall—

25 (1) receive advice from—

- 1 (A) the Secretary of Homeland Security;
2 (B) the Secretary of Defense;
3 (C) the Secretary of the Treasury;
4 (D) the Secretary of Health and Human
5 Services;
6 (E) the Secretary of Commerce;
7 (F) the Secretary of Transportation;
8 (G) the Secretary of Energy;
9 (H) the Administrator of the Small Busi-
10 ness Administration; and
11 (I) the head of any other agency that the
12 President determines necessary to complete the
13 plan;
- 14 (2) consult with economic sectors relating to
15 critical infrastructure through sector-coordinated
16 councils, as appropriate;
- 17 (3) consult with relevant State, Tribal, and
18 local governments and organizations that represent
19 those governments; and
- 20 (4) consult with any other non-Federal entity
21 that the President determines necessary to complete
22 the plan.
- 23 (c) SUBMISSION TO CONGRESS.—
- 24 (1) IN GENERAL.—Not later than 2 years after
25 the date of enactment of this Act, and not less fre-

1 frequently than every 3 years thereafter, the President
2 shall submit the plan required under subsection
3 (a)(1) and the information described in paragraph
4 (2) to—

5 (A) the majority and minority leaders of
6 the Senate;

7 (B) the Speaker and the minority leader of
8 the House of Representatives;

9 (C) the Committee on Armed Services of
10 the Senate;

11 (D) the Committee on Armed Services of
12 the House of Representatives;

13 (E) the Committee on Homeland Security
14 and Governmental Affairs of the Senate;

15 (F) the Committee on Homeland Security
16 of the House of Representatives;

17 (G) the Committee on Health, Education,
18 Labor, and Pensions of the Senate;

19 (H) the Committee on Commerce, Science,
20 and Transportation of the Senate;

21 (I) the Committee on Energy and Com-
22 merce of the House of Representatives;

23 (J) the Committee on Banking, Housing,
24 and Urban Affairs of the Senate;

1 (K) the Committee on Finance of the Sen-
2 ate;

3 (L) the Committee on Financial Services
4 of the House of Representatives;

5 (M) the Committee on Small Business and
6 Entrepreneurship of the Senate;

7 (N) the Committee on Small Business of
8 the House of Representatives;

9 (O) the Committee on Energy and Natural
10 Resources of the Senate;

11 (P) the Committee on Environment and
12 Public Works of the Senate; and

13 (Q) any other committee of the Senate or
14 the House of Representatives that has jurisdic-
15 tion over the subject of the plan.

16 (2) ADDITIONAL INFORMATION.—The informa-
17 tion described in this paragraph is—

18 (A) any change to Federal law that would
19 be necessary to carry out the plan required
20 under subsection (a)(1); and

21 (B) any proposed changes to the funding
22 levels provided in appropriation Acts for the
23 most recent fiscal year that can be implemented
24 in future appropriation Acts or additional re-
25 sources necessary to—

1 (i) implement the plan required under
2 subsection (a)(1); or

3 (ii) maintain any program offices and
4 personnel necessary to—

5 (I) maintain the plan required
6 under subsection (a)(1) and the plans
7 described in subsection (a)(3)(F); and

8 (II) conduct exercises, assess-
9 ments, and updates to the plans de-
10 scribed in subclause (I) over time.

11 (3) BUDGET OF THE PRESIDENT.—The Presi-
12 dent may include the information described in para-
13 graph (2)(B) in the budget required to be submitted
14 by the President under section 1105(a) of title 31,
15 United States Code.

16 (d) DEFINITIONS.—In this section:

17 (1) The term “agency” has the meaning given
18 the term in section 551 of title 5, United States
19 Code.

20 (2) The term “economic sector” means a sector
21 of the economy of the United States.

22 (3) The term “relevant actor” means—

23 (A) the Federal government;

24 (B) a State, local, or Tribal government;

25 or

1 (C) the private sector.

2 (4) The term “significant event” means an
3 event that causes severe degradation to economic ac-
4 tivity in the United States due to—

5 (A) a cyber attack; or

6 (B) another significant event that is nat-
7 ural or human-caused.

8 (5) The term “State” means any State of the
9 United States, the District of Columbia, the Com-
10 monwealth of Puerto Rico, the Virgin Islands,
11 Guam, American Samoa, the Commonwealth of the
12 Northern Mariana Islands, and any possession of the
13 United States.

14 **SEC. 1087. IMPROVING THE AUTHORITY FOR OPERATIONS**
15 **OF UNMANNED AIRCRAFT FOR EDUCATIONAL**
16 **PURPOSES.**

17 Section 350 of the FAA Reauthorization Act of 2018
18 (Public Law 115–254; 49 U.S.C 44809 note) is amended

19 (1) in the section heading, by striking “**AT IN-**
20 **STITUTIONS OF HIGHER EDUCATION**” and in-
21 serting “**FOR EDUCATIONAL PURPOSES**”; and

22 (2) in subsection (a)—

23 (A) by striking “aircraft system operated
24 by” and inserting the following: “aircraft sys-
25 tem—

1 “(1) operated by”;

2 (B) in paragraph (1), as added by sub-
3 paragraph (A), by striking the period at the
4 end and inserting a semicolon; and

5 (C) by adding at the end the following:

6 “(2) flown as part of the established curriculum
7 of an elementary school or secondary school (as such
8 terms are defined in section 8101 of the Elementary
9 and Secondary Education Act of 1965 (20 U.S.C.
10 7801));

11 “(3) flown as part of an established Junior Re-
12 serve Officers’ Training Corps (JROTC) program;
13 or

14 “(4) flown as part of an educational program
15 that is chartered by a recognized community-based
16 organization (as defined in subsection (h) of such
17 section).”.

18 **SEC. 1088. REQUIREMENT TO POST A 100 WORD SUMMARY**
19 **TO REGULATIONS.GOV.**

20 Section 553(b) of title 5, United States Code, is
21 amended—

22 (1) in paragraph (2), by striking “and” at the
23 end;

24 (2) in paragraph (3), by striking the period at
25 the end and inserting “; and”; and

1 (3) by inserting after paragraph (3) the fol-
2 lowing:

3 “(4) the Internet address of a summary of not
4 more than 100 words in length of the proposed rule,
5 in plain language, that shall be posted on the Inter-
6 net website under section 206(d) of the E-Govern-
7 ment Act of 2002 (44 U.S.C. 3501 note) (commonly
8 known as regulations.gov).”.

9 **SEC. 1089. MODIFICATION OF LICENSURE REQUIREMENTS**
10 **FOR HEALTH CARE PROFESSIONALS PRO-**
11 **VIDING TREATMENT VIA TELEMEDICINE.**

12 Section 1730C(b) of title 38, United States Code, is
13 amended to read as follows:

14 “(b) COVERED HEALTH CARE PROFESSIONALS.—
15 For purposes of this section, a covered health care profes-
16 sional is any of the following individuals:

17 “(1) A health care professional who—

18 “(A) is an employee of the Department ap-
19 pointed under section 7306, 7401, 7405, 7406,
20 or 7408 of this title or title 5;

21 “(B) is authorized by the Secretary to pro-
22 vide health care under this chapter;

23 “(C) is required to adhere to all standards
24 for quality relating to the provision of health

1 care in accordance with applicable policies of
2 the Department; and

3 “(D)(i) has an active, current, full, and
4 unrestricted license, registration, or certification
5 in a State to practice the health care profession
6 of the health care professional; or

7 “(ii) with respect to a health care profes-
8 sion listed under section 7402(b) of this title,
9 has the qualifications for such profession as set
10 forth by the Secretary.

11 “(2) A postgraduate health care employee
12 who—

13 “(A) is appointed under section 7401(1),
14 7401(3), or 7405 of this title or title 5 for any
15 category of personnel described in paragraph
16 (1) or (3) of section 7401 of this title;

17 “(B) must obtain an active, current, full,
18 and unrestricted license, registration, or certifi-
19 cation or meet qualification standards set forth
20 by the Secretary within a specified time frame;
21 and

22 “(C) is under the clinical supervision of a
23 health care professional described in paragraph
24 (1); or

25 “(3) A health professions trainee who—

1 “(A) is appointed under section 7405 or
2 7406 of this title; and

3 “(B) is under the clinical supervision of a
4 health care professional described in paragraph
5 (1).”.

6 **SEC. 1090. RESTRICTIONS ON CONFUCIUS INSTITUTES.**

7 (a) DEFINITION.—In this section, the term “Confu-
8 cius Institute” means a cultural institute directly or indi-
9 rectly funded by the Government of the People’s Republic
10 of China.

11 (b) RESTRICTIONS ON CONFUCIUS INSTITUTES.—An
12 institution of higher education or other postsecondary edu-
13 cational institution (referred to in this section as an “insti-
14 tution”) shall not be eligible to receive Federal funds from
15 the Department of Education (except funds under title IV
16 of the Higher Education Act of 1965 (20 U.S.C. 1070
17 et seq.) or other Department of Education funds that are
18 provided directly to students) unless the institution en-
19 sures that any contract or agreement between the institu-
20 tion and a Confucius Institute includes clear provisions
21 that—

22 (1) protect academic freedom at the institution;

23 (2) prohibit the application of any foreign law
24 on any campus of the institution; and

1 (3) grant full managerial authority of the Con-
2 fucius Institute to the institution, including full con-
3 trol over what is being taught, the activities carried
4 out, the research grants that are made, and who is
5 employed at the Confucius Institute.

6 **SEC. 1090A. ADDITIONAL CARE FOR NEWBORN CHILDREN**
7 **OF VETERANS.**

8 Section 1786 of title 38, United States Code, is
9 amended—

10 (1) in subsection (a), by striking “The Sec-
11 retary” and inserting “Except as provided in sub-
12 section (c), the Secretary”; and

13 (2) by adding at the end the following new sub-
14 section:

15 “(c) EXCEPTION BASED ON MEDICAL NECESSITY.—
16 Pursuant to such regulations as the Secretary shall pre-
17 scribe to carry out this section, the Secretary may furnish
18 more than seven days of health care services described in
19 subsection (b), and may furnish transportation necessary
20 to receive such services, to a newborn child based on med-
21 ical necessity if the child is in need of additional care, in-
22 cluding if the child has been discharged or released from
23 a hospital and requires readmittance to ensure the health
24 and welfare of the child.”.

1 **SEC. 1090B. ADDITIONAL DISEASES ASSOCIATED WITH EX-**
2 **POSURE TO CERTAIN HERBICIDE AGENTS**
3 **FOR WHICH THERE IS A PRESUMPTION OF**
4 **SERVICE CONNECTION FOR VETERANS WHO**
5 **SERVED IN THE REPUBLIC OF VIETNAM.**

6 Section 1116(a)(2) of title 38, United States Code,
7 is amended by adding at the end the following new sub-
8 paragraphs:

9 “(I) Parkinsonism.

10 “(J) Bladder cancer.

11 “(K) Hypothyroidism.”.

12 **Subtitle H—Wireless Supply Chain**
13 **Innovation and Multilateral Se-**
14 **curity**

15 **SEC. 1091. DEFINITIONS.**

16 In this subtitle:

17 (1) 3GPP.—The term “3GPP” means the
18 Third Generation Partnership Project.

19 (2) 5G NETWORK.—The term “5G network”
20 means a radio network as described by 3GPP Re-
21 lease 15 or higher.

22 (3) COMMISSION.—The term “Commission”
23 means the Federal Communications Commission.

24 (4) NTIA ADMINISTRATOR.—The term “NTIA
25 Administrator” means the Assistant Secretary of
26 Commerce for Communications and Information.

1 (5) OPEN-RAN.—The term “Open-RAN”
2 means the Open Radio Access Network approach to
3 standardization adopted by the O-RAN Alliance,
4 Telecom Infra Project, or 3GPP, or any similar set
5 of open standards for multi-vendor network equip-
6 ment interoperability.

7 (6) RELEVANT COMMITTEES OF CONGRESS.—
8 The term “relevant committees of Congress”
9 means—

10 (A) the Select Committee on Intelligence of
11 the Senate;

12 (B) the Committee on Foreign Relations of
13 the Senate;

14 (C) the Committee on Homeland Security
15 and Governmental Affairs of the Senate;

16 (D) the Committee on Armed Services of
17 the Senate;

18 (E) the Committee on Commerce, Science,
19 and Transportation of the Senate;

20 (F) the Committee on Appropriations of
21 the Senate;

22 (G) the Permanent Select Committee on
23 Intelligence of the House of Representatives;

24 (H) the Committee on Foreign Affairs of
25 the House of Representatives;

1 (I) the Committee on Homeland Security
2 of the House of Representatives;

3 (J) the Committee on Armed Services of
4 the House of Representatives;

5 (K) the Committee on Energy and Com-
6 merce of the House of Representatives; and

7 (L) the Committee on Appropriations of
8 the House of Representatives.

9 **SEC. 1092. COMMUNICATIONS TECHNOLOGY SECURITY**
10 **FUNDS.**

11 (a) **USE OF DIGITAL TELEVISION TRANSITION AND**
12 **PUBLIC SAFETY FUND.**—As soon as practicable after the
13 date of enactment of this Act, the Commission shall trans-
14 fer from the Digital Television Transition and Public Safe-
15 ty Fund established under section 309(j)(8)(E) of the
16 Communications Act of 1934 (47 U.S.C. 309(j)(8)(E))—

17 (1) \$50,000,000 to the Public Wireless Supply
18 Chain Innovation Fund established under subsection

19 (b) of this section; and

20 (2) \$25,000,000 to the Multilateral Tele-
21 communications Security Fund established under
22 subsection (c) of this section.

23 (b) **PUBLIC WIRELESS SUPPLY CHAIN INNOVATION**
24 **FUND.**—

25 (1) **ESTABLISHMENT.**—

1 (A) IN GENERAL.—There is established in
2 the Treasury of the United States a trust fund
3 to be known as the “Public Wireless Supply
4 Chain Innovation Fund” (referred to in this
5 subsection as the “R&D Fund”).

6 (B) AVAILABILITY.—

7 (i) IN GENERAL.—Amounts deposited
8 in the R&D Fund shall remain available
9 through the end of the tenth fiscal year be-
10 ginning after the date of enactment of this
11 Act.

12 (ii) REMAINDER TO TREASURY.—Any
13 amounts remaining in the R&D Fund after
14 the end of the tenth fiscal year beginning
15 after the date of enactment of this Act
16 shall be deposited in the general fund of
17 the Treasury.

18 (2) USE OF FUND.—

19 (A) IN GENERAL.—Amounts deposited in
20 the R&D Fund shall be available to the NTIA
21 Administrator to make grants under this sub-
22 section in such amounts as the NTIA Adminis-
23 trator determines appropriate, subject to sub-
24 paragraph (B) of this subparagraph.

1 (B) LIMITATION ON GRANT AMOUNTS.—

2 The amount of a grant awarded under this sub-
3 section to a recipient for a specific research
4 focus area may not exceed \$50,000,000.

5 (3) ADMINISTRATION OF FUND.—The NTIA
6 Administrator, in consultation with the Commission,
7 the Director of the National Institute of Standards
8 and Technology, the Secretary of Homeland Secu-
9 rity, the Secretary of Defense, and the Director of
10 the Intelligence Advanced Research Projects Activity
11 of the Office of the Director of National Intelligence,
12 shall establish criteria for grants awarded under this
13 subsection, and administer the R&D Fund, to sup-
14 port research and the commercial application of that
15 research, including in the following areas:

16 (A) Promoting the development of tech-
17 nology, including software, hardware, and
18 microprocessing technology, that will enhance
19 competitiveness in the fifth-generation (com-
20 monly known as “5G”) and successor wireless
21 technology supply chains.

22 (B) Accelerating development and deploy-
23 ment of open interface standards-based compat-
24 ible, interoperable equipment, such as equip-
25 ment developed pursuant to the standards set

1 forth by organizations such as the O-RAN Alli-
2 ance, the Telecom Infra Project, 3GPP, the
3 Open-RAN Software Community, or any suc-
4 cessor organizations.

5 (C) Promoting compatibility of new 5G
6 equipment with future open standards-based,
7 interoperable equipment.

8 (D) Managing integration of multi-vendor
9 network environments.

10 (E) Objective criteria to define equipment
11 as compliant with open standards for multi-ven-
12 dor network equipment interoperability.

13 (F) Promoting development and inclusion
14 of security features enhancing the integrity and
15 availability of equipment in multi-vendor net-
16 works.

17 (G) Promoting the application of network
18 function virtualization to facilitate multi-vendor
19 interoperability and a more diverse vendor mar-
20 ket.

21 (4) NONDUPLICATION OF RESEARCH.—To the
22 greatest extent practicable, the NTIA Administrator
23 shall ensure that any research funded by a grant
24 awarded under this subsection avoids duplication of
25 other Federal or private sector research.

1 (5) TIMING.—Not later than 1 year after the
2 date of enactment of this Act, the NTIA Adminis-
3 trator shall begin awarding grants under this sub-
4 section.

5 (6) FEDERAL ADVISORY BODY.—

6 (A) ESTABLISHMENT.—The NTIA Admin-
7 istrator shall establish a Federal advisory com-
8 mittee, in accordance with the Federal Advisory
9 Committee Act (5 U.S.C. App.), composed of
10 government and private sector experts, to ad-
11 vise the NTIA Administrator on the adminis-
12 tration of the R&D Fund.

13 (B) COMPOSITION.—The advisory com-
14 mittee established under subparagraph (A) shall
15 be composed of—

16 (i) representatives from—

17 (I) the Commission;

18 (II) the Department of Defense;

19 (III) the Intelligence Advanced
20 Research Projects Activity of the Of-
21 fice of the Director of National Intel-
22 ligence;

23 (IV) the National Institute of
24 Standards and Technology;

25 (V) the Department of State;

1 (VI) the National Science Foun-
2 dation; and

3 (VII) the Department of Home-
4 land Security; and

5 (ii) other representatives from the pri-
6 vate and public sectors, at the discretion of
7 the NTIA Administrator.

8 (C) DUTIES.—The advisory committee es-
9 tablished under subparagraph (A) shall advise
10 the NTIA Administrator on technology develop-
11 ments to help inform—

12 (i) the strategic direction of the R&D
13 Fund; and

14 (ii) efforts of the Federal Government
15 to promote a more secure, diverse, sustain-
16 able, and competitive supply chain.

17 (7) REPORTS TO CONGRESS.—

18 (A) INITIAL REPORT.—Not later than 180
19 days after the date of enactment of this Act,
20 the NTIA Administrator shall submit to the rel-
21 evant committees of Congress a report with—

22 (i) additional recommendations on
23 promoting the competitiveness and sustain-
24 ability of trusted suppliers in the wireless
25 supply chain; and

1 (ii) any additional authorities needed
2 to facilitate the timely adoption of open
3 standards-based equipment, including au-
4 thority to provide loans, loan guarantees,
5 and other forms of credit extension that
6 would maximize the use of designated
7 funds.

8 (B) ANNUAL REPORT.—For each fiscal
9 year for which amounts in the R&D Fund are
10 available under this subsection, the NTIA Ad-
11 ministrators shall submit to Congress a report
12 that—

13 (i) describes how, and to whom,
14 amounts in the R&D Fund have been de-
15 ployed;

16 (ii) details the progress of the NTIA
17 Administrator in meeting the objectives de-
18 scribed in paragraph (3); and

19 (iii) includes any additional informa-
20 tion that the NTIA Administrator deter-
21 mines appropriate.

22 (c) MULTILATERAL TELECOMMUNICATIONS SECUR-
23 ITY FUND.—

24 (1) ESTABLISHMENT OF FUND.—

1 (A) IN GENERAL.—There is established in
2 the Treasury of the United States a trust fund
3 to be known as the “Multilateral Telecommuni-
4 cations Security Fund”.

5 (B) USE OF FUND.—Amounts deposited in
6 the Multilateral Telecommunications Security
7 Fund shall be available to the Secretary of
8 State to make expenditures under this sub-
9 section in such amounts as the Secretary of
10 State determines appropriate.

11 (C) AVAILABILITY.—

12 (i) IN GENERAL.—Amounts deposited
13 in the Multilateral Telecommunications Se-
14 curity Fund—

15 (I) shall remain available through
16 the end of the tenth fiscal year begin-
17 ning after the date of enactment of
18 this Act; and

19 (II) may only be allocated upon
20 the Secretary of State reaching an
21 agreement with foreign government
22 partners to participate in the common
23 funding mechanism described in para-
24 graph (2).

1 (ii) REMAINDER TO TREASURY.—Any
2 amounts remaining in the Multilateral
3 Telecommunications Security Fund after
4 the end of the tenth fiscal year beginning
5 after the date of enactment of this Act
6 shall be deposited in the general fund of
7 the Treasury.

8 (2) ADMINISTRATION OF FUND.—The Secretary
9 of State, in consultation with the NTIA Adminis-
10 trator, the Secretary of Homeland Security, the Sec-
11 retary of Defense, the Secretary of the Treasury, the
12 Director of National Intelligence, and the Commis-
13 sion, shall establish a common funding mechanism,
14 in coordination with foreign partners, that uses
15 amounts from the Multilateral Telecommunications
16 Security Fund to support the development and adop-
17 tion of secure and trusted telecommunications tech-
18 nologies.

19 (3) ANNUAL REPORT TO CONGRESS.—Not later
20 than 1 year after the date of enactment of this Act,
21 and annually thereafter for each fiscal year during
22 which amounts in the Multilateral Telecommuni-
23 cations Security Fund are available, the Secretary of
24 State shall submit to the relevant committees of
25 Congress a report on the status and progress of the

1 funding mechanism established under paragraph (2),
2 including—

3 (A) any funding commitments from foreign
4 partners, including each specific amount com-
5 mitted;

6 (B) governing criteria for use of the Multi-
7 lateral Telecommunications Security Fund;

8 (C) an account of—

9 (i) how, and to whom, funds have
10 been deployed;

11 (ii) amounts remaining in the Multi-
12 lateral Telecommunications Security Fund;

13 and

14 (iii) the progress of the Secretary of
15 State in meeting the objective described in
16 paragraph (2); and

17 (D) additional authorities needed to en-
18 hance the effectiveness of the Multilateral Tele-
19 communications Security Fund in achieving the
20 security goals of the United States.

21 **SEC. 1093. PROMOTING UNITED STATES LEADERSHIP IN**
22 **INTERNATIONAL ORGANIZATIONS AND COM-**
23 **MUNICATIONS STANDARDS-SETTING BODIES.**

24 (a) **IN GENERAL.**—The Secretary of State, the Sec-
25 retary of Commerce, and the Chairman of the Commis-

1 sion, or their designees, shall consider how to enhance rep-
2 resentation of the United States at international forums
3 that set standards for 5G networks and for future genera-
4 tions of wireless communications networks, including—

5 (1) the International Telecommunication Union
6 (commonly known as “ITU”);

7 (2) the International Organization for Stand-
8 ardization (commonly known as “ISO”);

9 (3) the Inter-American Telecommunications
10 Commission (commonly known as “CITEL”); and

11 (4) the voluntary standards organizations that
12 develop protocols for wireless devices and other
13 equipment, such as the 3GPP and the Institute of
14 Electrical and Electronics Engineers (commonly
15 known as “IEEE”).

16 (b) ANNUAL REPORT.—The Secretary of State, the
17 Secretary of Commerce, and the Chairman of the Commis-
18 sion shall jointly submit to the relevant committees of
19 Congress an annual report on the progress made under
20 subsection (a).

21 **Subtitle I—Semiconductor**
22 **Manufacturing Incentives**

23 **SEC. 1094. SEMICONDUCTOR INCENTIVE GRANTS.**

24 (a) DEFINITIONS.—In this section—

1 (1) the term “appropriate committees of Con-
2 gress” means—

3 (A) the Select Committee on Intelligence,
4 the Committee on Commerce, Science, and
5 Transportation, the Committee on Foreign Re-
6 lations, the Committee on Armed Services, the
7 Committee on Appropriations, the Committee
8 on Banking, Housing, and Urban Affairs, and
9 the Committee on Homeland Security and Gov-
10 ernmental Affairs of the Senate; and

11 (B) the Permanent Select Committee on
12 Intelligence, the Committee on Energy and
13 Commerce, the Committee on Foreign Affairs,
14 the Committee on Armed Services, the Com-
15 mittee on Science, Space, and Technology, the
16 Committee on Appropriations, the Committee
17 on Financial Services, and the Committee on
18 Homeland Security of the House of Representa-
19 tives;

20 (2) the term “covered entity” means a private
21 entity, a consortium of private entities, or a consor-
22 tium of public and private entities with a dem-
23 onstrated ability to construct, expand, or modernize
24 a facility relating to the fabrication, assembly, test-

1 ing, advanced packaging, or advanced research and
2 development of semiconductors;

3 (3) the term “covered incentive”—

4 (A) means an incentive offered by a gov-
5 ernmental entity to a covered entity for the pur-
6 poses of constructing within the jurisdiction of
7 the governmental entity, or expanding or mod-
8 ernizing an existing facility within that jurisdic-
9 tion, a facility described in paragraph (2); and

10 (B) includes any tax incentive (such as an
11 incentive or reduction with respect to employ-
12 ment or payroll taxes or a tax abatement with
13 respect to personal or real property), a work-
14 force-related incentive (including a grant agree-
15 ment relating to workforce training or voca-
16 tional education), any concession with respect
17 to real property, funding for research and devel-
18 opment with respect to semiconductors, and any
19 other incentive determined appropriate by the
20 Secretary, in consultation with the Secretary of
21 State;

22 (4) the term “foreign adversary” means any
23 foreign government or foreign nongovernment person
24 that is engaged in a long-term pattern, or is involved

1 in a serious instance, of conduct that is significantly
2 adverse to—

3 (A) the national security of the United
4 States or an ally of the United States; or

5 (B) the security and safety of United
6 States persons;

7 (5) the term “governmental entity” means a
8 State or local government;

9 (6) the term “Secretary” means the Secretary
10 of Commerce; and

11 (7) the term “semiconductor” has the meaning
12 given the term by the Secretary.

13 (b) GRANT PROGRAM.—

14 (1) IN GENERAL.—The Secretary shall establish
15 in the Department of Commerce a program that, in
16 accordance with the requirements of this section,
17 provides grants to covered entities.

18 (2) PROCEDURE.—

19 (A) IN GENERAL.—A covered entity shall
20 submit to the Secretary an application that de-
21 scribes the project for which the covered entity
22 is seeking a grant under this section.

23 (B) ELIGIBILITY.—In order for a covered
24 entity to qualify for a grant under this section,
25 the covered entity shall demonstrate to the Sec-

1 retary, in the application submitted by the cov-
2 ered entity under subparagraph (A), that—

3 (i) the covered entity has a docu-
4 mented interest in constructing, expanding,
5 or modernizing a facility described in sub-
6 section (a)(2); and

7 (ii) with respect to the project de-
8 scribed in clause (i), the covered entity
9 has—

10 (I) been offered a covered incen-
11 tive;

12 (II) made commitments to work-
13 er and community investment, includ-
14 ing through—

15 (aa) training and education
16 benefits paid by the covered enti-
17 ty; and

18 (bb) programs to expand
19 employment opportunity for eco-
20 nomically disadvantaged individ-
21 uals; and

22 (III) secured commitments from
23 regional educational and training enti-
24 ties and institutions of higher edu-
25 cation to provide workforce training,

1 including programming for training
2 and job placement of economically dis-
3 advantaged individuals.

4 (C) CONSIDERATIONS FOR REVIEW.—With
5 respect to the review by the Secretary of an ap-
6 plication submitted by a covered entity under
7 subparagraph (A)—

8 (i) the Secretary may not approve the
9 application unless the Secretary—

10 (I) confirms that the covered en-
11 tity has satisfied the eligibility criteria
12 under subparagraph (B); and

13 (II) determines that the project
14 to which the application relates is in
15 the interest of the United States; and

16 (ii) the Secretary may consider wheth-
17 er—

18 (I) the covered entity has pre-
19 viously received a grant made under
20 this subsection; and

21 (II) the governmental entity of-
22 fering the applicable covered incentive
23 has benefitted from a grant previously
24 made under this subsection.

1 (3) AMOUNT.—The amount of a grant made by
2 the Secretary to a covered entity under this sub-
3 section shall be in an amount that is not more than
4 \$3,000,000,000.

5 (4) USE OF FUNDS.—A covered entity that re-
6 ceives a grant under this subsection may only use
7 the grant amounts to—

8 (A) finance the construction, expansion, or
9 modernization of a facility described in sub-
10 section (a)(2), as documented in the application
11 submitted by the covered entity under para-
12 graph (2)(A), or for similar uses in state of
13 practice and legacy facilities, as determined
14 necessary by the Secretary for purposes relating
15 to the national security and economic competi-
16 tiveness of the United States;

17 (B) support workforce development for the
18 facility described in subparagraph (A); or

19 (C) support site development for the facil-
20 ity described in subparagraph (A).

21 (5) CLAWBACK.—The Secretary shall recover
22 the full amount of a grant provided to a covered en-
23 tity under this subsection if—

24 (A) as of the date that is 5 years after the
25 date on which the Secretary makes the grant,

1 the project to which the grant relates has not
2 been completed, except that the Secretary may
3 issue a waiver with respect to the requirement
4 under this subparagraph if the Secretary deter-
5 mines that issuing such a waiver is appropriate
6 and in the interests of the United States; or

7 (B) during the applicable term with re-
8 spect to the grant, the covered entity engages
9 in any joint research or technology licensing ef-
10 fort—

11 (i) with the Government of the Peo-
12 ple’s Republic of China, the Government of
13 the Russian Federation, the Government of
14 Iran, the Government of North Korea, or
15 another foreign adversary; and

16 (ii) that relates to a sensitive tech-
17 nology or product, as determined by the
18 Secretary.

19 (c) CONSULTATION AND COORDINATION RE-
20 QUIRED.—In carrying out the program established under
21 subsection (b), the Secretary shall consult and coordinate
22 with the Secretary of State and the Secretary of Defense.

23 (d) GAO REVIEWS.—The Comptroller General of the
24 United States shall—

1 (1) not later than 2 years after the date of en-
2 actment of this Act, and biennially thereafter until
3 the date that is 10 years after that date of enact-
4 ment, conduct a review of the program established
5 under subsection (b), which shall include, at a min-
6 imum—

7 (A) a determination of the number of in-
8 stances in which grants were provided under
9 that subsection during the period covered by
10 the review in violation of a requirement of this
11 section;

12 (B) an evaluation of how—

13 (i) the program is being carried out,
14 including how recipients of grants are
15 being selected under the program; and

16 (ii) other Federal programs are lever-
17 aged for manufacturing, research, and
18 training to complement the grants awarded
19 under the program; and

20 (C) a description of the outcomes of
21 projects supported by grants made under the
22 program, including a description of—

23 (i) facilities described in subsection
24 (a)(2) that were constructed, expanded, or

1 modernized as a result of grants made
2 under the program;

3 (ii) research and development carried
4 out with grants made under the program;
5 and

6 (iii) workforce training programs car-
7 ried out with grants made under the pro-
8 gram, including efforts to hire individuals
9 from disadvantaged populations; and

10 (2) submit to the appropriate committees of
11 Congress the results of each review conducted under
12 paragraph (1).

13 **SEC. 1095. DEPARTMENT OF DEFENSE.**

14 (a) DEPARTMENT OF DEFENSE EFFORTS.—

15 (1) IN GENERAL.—The Secretary of Defense
16 shall, in consultation with the Secretary of Com-
17 merce, the Secretary of Homeland Security, and the
18 Director of National Intelligence, work with the pri-
19 vate sector through a public-private partnership, in-
20 cluding by incentivizing the formation of a consor-
21 tium of United States companies, to ensure the de-
22 velopment and production of advanced, measurably
23 secure microelectronics for use by the Department of
24 Defense, the intelligence community, critical infra-
25 structure sectors, and other national security appli-

1 cations. Such work may include providing incentives
2 for the creation, expansion, or modernization of one
3 or more commercially competitive and sustainable
4 microelectronics manufacturing or advanced research
5 and development facilities.

6 (2) RISK MITIGATION REQUIREMENTS.—A par-
7 ticipant in a consortium formed with incentives
8 under paragraph (1) shall—

9 (A) have the potential to perform fabrica-
10 tion, assembly, package, or test functions for
11 microelectronics deemed critical to national se-
12 curity as defined by export control regulatory
13 agencies in consultation with the National Secu-
14 rity Adviser and the Secretary of Defense;

15 (B) include management processes to iden-
16 tify and mitigate supply chain security risks;
17 and

18 (C) be able to produce microelectronics
19 consistent with applicable measurably secure
20 supply chain and operational security standards
21 established under section 224(b) of the Na-
22 tional Defense Authorization Act for Fiscal
23 Year 2020 (Public Law 116–92).

24 (3) NATIONAL SECURITY CONSIDERATIONS.—

25 The Secretary of Defense and the Director of Na-

1 tional Intelligence shall select participants for the
2 consortium formed with incentives under paragraph
3 (1). In selecting such participants, the Secretary and
4 the Director may jointly consider whether the
5 United States companies—

6 (A) have participated in previous programs
7 and projects of the Department of Defense, De-
8 partment of Energy, or the intelligence commu-
9 nity, including—

10 (i) the Trusted Integrated Circuit pro-
11 gram of the Intelligence Advanced Re-
12 search Projects Activity;

13 (ii) trusted and assured microelec-
14 tronics projects, as administered by the
15 Department of Defense;

16 (iii) the Electronics Resurgence Initia-
17 tive (ERI) program of the Defense Ad-
18 vanced Research Projects Agency; or

19 (iv) relevant semiconductor research
20 programs of Advanced Research Projects
21 Agency–Energy;

22 (B) have demonstrated an ongoing com-
23 mitment to performing contracts for the De-
24 partment of Defense and the intelligence com-
25 munity;

1 (C) are approved by the Defense Counter-
2 intelligence and Security Agency or the Office
3 of the Director of National Intelligence as pre-
4 senting an acceptable security risk, taking into
5 account supply chain assurance vulnerabilities,
6 counterintelligence risks, and any risks pre-
7 sented by companies whose owners are located
8 outside the United States; and

9 (D) are evaluated periodically for foreign
10 ownership, control, or influence by foreign ad-
11 versaries.

12 (4) NONTRADITIONAL DEFENSE CONTRACTORS
13 AND COMMERCIAL ENTITIES.—Arrangements en-
14 tered into to carry out paragraph (1) shall be in
15 such form as the Secretary of Defense determines
16 appropriate to encourage industry participation of
17 nontraditional defense contractors or commercial en-
18 tities and may include a contract, a grant, a cooper-
19 ative agreement, a commercial agreement, the use of
20 other transaction authority under section 2371 of
21 title 10, United States Code, or another such ar-
22 rangement.

23 (5) DISCHARGE.—The Secretary of Defense
24 shall carry out paragraph (1) jointly through the Of-
25 fice of the Under Secretary of Defense for Research

1 and Engineering and the Office of the Under Sec-
2 retary of Defense for Acquisition and Sustainment,
3 or such other component of the Department of De-
4 fense as the Secretary considers appropriate.

5 (6) OTHER INITIATIVES.—The Secretary of De-
6 fense shall dedicate initiatives within the Depart-
7 ment of Defense to advance radio frequency, mixed
8 signal, radiation tolerant, and radiation hardened
9 microelectronics that support national security and
10 dual-use applications.

11 (7) REPORTS.—

12 (A) REPORT BY SECRETARY OF DE-
13 FENSE.—Not later than 90 days after the date
14 of the enactment of this Act, the Secretary of
15 Defense shall submit to Congress a report on
16 the plans of the Secretary to carry out para-
17 graph (1).

18 (B) BIENNIAL REPORTS BY COMPTROLLER
19 GENERAL OF THE UNITED STATES.—Not later
20 than 1 year after the date on which the Sec-
21 retary submits the report required by subpara-
22 graph (A) and not less frequently than once
23 every 2 years thereafter for a period of 10
24 years, the Comptroller General of the United

1 States shall submit to Congress a report on the
2 activities carried out under this subsection.

3 (b) DEFENSE PRODUCTION ACT OF 1950 EF-
4 FORTS.—

5 (1) IN GENERAL.—Not later than 120 days
6 after the date of the enactment of this Act, the
7 President shall submit to Congress a report on a
8 plan for use by the Department of Defense of au-
9 thorities available in title III of the Defense Produc-
10 tion Act of 1950 (50 U.S.C. 4531 et seq.) to estab-
11 lish and enhance a domestic production capability
12 for microelectronics technologies and related tech-
13 nologies, subject to the availability of appropriations
14 for that purpose.

15 (2) CONSULTATION.—The President shall de-
16 velop the plan required by paragraph (1) in coordi-
17 nation with the Secretary of Defense, and in con-
18 sultation with the Secretary of State, the Secretary
19 of Commerce, and appropriate stakeholders in the
20 private sector.

21 **SEC. 1096. DEPARTMENT OF COMMERCE STUDY ON STATUS**
22 **OF MICROELECTRONICS TECHNOLOGIES IN**
23 **THE UNITED STATES INDUSTRIAL BASE.**

24 (a) IN GENERAL.—Commencing not later than 120
25 days after the date of the enactment of this Act, the Sec-

1 retary of Commerce and the Secretary of Homeland Secu-
2 rity, in consultation with the Secretary of Defense and the
3 heads of other appropriate Federal departments and agen-
4 cies, shall undertake a review, which shall include a sur-
5 vey, using authorities in section 705 of the Defense Pro-
6 duction Act (50 U.S.C. 4555), to assess the capabilities
7 of the United States industrial base to support the na-
8 tional defense in light of the global nature of the supply
9 chain and significant interdependencies between the
10 United States industrial base and the industrial base of
11 foreign countries with respect to the manufacture, design,
12 and end use of microelectronics.

13 (b) RESPONSE TO SURVEY.—The Secretary shall en-
14 sure compliance with the survey from among all relevant
15 potential respondents, including the following:

16 (1) Corporations, partnerships, associations, or
17 any other organized groups domiciled and with sub-
18 stantial operations in the United States.

19 (2) Corporations, partnerships, associations, or
20 any other organized groups domiciled in the United
21 States with operations outside the United States.

22 (3) Foreign domiciled corporations, partner-
23 ships, associations, or any other organized groups
24 with substantial operations or business presence in,

1 or substantial revenues derived from, the United
2 States.

3 (4) Foreign domiciled corporations, partner-
4 ships, associations, or any other organized groups in
5 defense treaty or assistance countries where the pro-
6 duction of the entity concerned involves critical tech-
7 nologies covered by section 2.

8 (c) INFORMATION REQUESTED.—The information
9 sought from a responding entity pursuant to the survey
10 required by subsection (a) shall include, at minimum, in-
11 formation on the following with respect to the manufac-
12 ture, design, or end use of microelectronics by such entity:

13 (1) An identification of the geographic scope of
14 operations.

15 (2) Information on relevant cost structures.

16 (3) An identification of types of microelec-
17 tronics development, manufacture, assembly, test,
18 and packaging equipment in operation at such enti-
19 ty.

20 (4) An identification of all relevant intellectual
21 property, raw materials, and semi-finished goods and
22 components sourced domestically and abroad by
23 such entity.

24 (5) Specifications of the microelectronics manu-
25 factured or designed by such entity, descriptions of

1 the end-uses of such microelectronics, and a descrip-
2 tion of any technical support provided to end-users
3 of such microelectronics by such entity.

4 (6) Information on domestic and export market
5 sales by such entity.

6 (7) Information on the financial performance,
7 including income and expenditures, of such entity.

8 (8) A list of all foreign and domestic subsidies,
9 and any other financial incentives, received by such
10 entity in each market in which such entity operates.

11 (9) A list of information requests from the Peo-
12 ple's Republic of China to such entity, and a de-
13 scription of the nature of each request and the type
14 of information provided.

15 (10) Information on any joint ventures, tech-
16 nology licensing agreements, and cooperative re-
17 search or production arrangements of such entity.

18 (11) A description of efforts by such entity to
19 evaluate and control supply chain risks it faces.

20 (12) A list and description of any sales, licens-
21 ing agreements, or partnerships between such entity
22 and the People's Liberation Army or People's Armed
23 Police, including any business relationships with en-
24 tities through which such sales, licensing agree-
25 ments, or partnerships may occur.

1 (d) REPORT.—

2 (1) IN GENERAL.—The Secretary of Commerce
3 shall, in consultation with the Secretary of Defense,
4 the Secretary of Homeland Security, and the heads
5 of other appropriate Federal departments and agen-
6 cies, submit to Congress a report on the results of
7 the review required by subsection (a). The report
8 shall include the following:

9 (A) An assessment of the results of the
10 survey.

11 (B) A list of critical technology areas im-
12 pacted by potential disruptions in production of
13 microelectronics, and a detailed description and
14 assessment of the impact of such potential dis-
15 ruptions on such areas.

16 (C) A description and assessment of gaps
17 and vulnerabilities in the microelectronics sup-
18 ply chain and the national industrial supply
19 base.

20 (2) FORM.— The report required by paragraph
21 (1) may be submitted in classified form.

1 **SEC. 1097. FUNDING FOR DEVELOPMENT AND ADOPTION**
2 **OF MEASURABLY SECURE MICROELEC-**
3 **TRONICS AND MEASURABLY SECURE MICRO-**
4 **ELECTRONICS SUPPLY CHAINS.**

5 (a) **MULTILATERAL MICROELECTRONICS SECURITY**
6 **FUND.—**

7 (1) **ESTABLISHMENT OF FUND.—**There is es-
8 tablished in the Treasury of the United States a
9 trust fund, to be known as the “Multilateral Micro-
10 electronics Security Fund” (in this section referred
11 to as the “Fund”), consisting of such amounts as
12 may be appropriated to such Fund and any amounts
13 that may be credited to the Fund under paragraph
14 (2).

15 (2) **INVESTMENT OF AMOUNTS.—**

16 (A) **INVESTMENT OF AMOUNTS.—**The Sec-
17 retary of the Treasury shall invest such portion
18 of the Fund as is not required to meet current
19 withdrawals in interest-bearing obligations of
20 the United States or in obligations guaranteed
21 as to both principal and interest by the United
22 States.

23 (B) **INTEREST AND PROCEEDS.—**The in-
24 terest on, and the proceeds from the sale or re-
25 demption of, any obligations held in the Fund

1 shall be credited to and form a part of the
2 Fund.

3 (3) USE OF FUND.—

4 (A) IN GENERAL.—Subject to subpara-
5 graph (B), amounts in the Fund shall be avail-
6 able, as provided in advance in an appropria-
7 tions Act, to the Secretary of State—

8 (i) to provide funding through the
9 common funding mechanism described in
10 subsection (b)(1) to support the develop-
11 ment and adoption of measurably secure
12 microelectronics and measurably secure
13 microelectronics supply chains; and

14 (ii) to otherwise carry out this section.

15 (B) AVAILABILITY CONTINGENT ON INTER-
16 NATIONAL AGREEMENT.—Amounts in the Fund
17 shall be available to the Secretary of State on
18 and after the date on which the Secretary en-
19 ters into an agreement with the governments of
20 countries that are partners of the United States
21 to participate in the common funding mecha-
22 nism under paragraph (1) of subsection (b) and
23 the commitments described in paragraph (2) of
24 that subsection.

25 (4) AVAILABILITY OF AMOUNTS.—

1 (A) IN GENERAL.—Amounts in the Fund
2 shall remain available through the end of the
3 tenth fiscal year beginning after the date of the
4 enactment of this Act.

5 (B) REMAINDER TO TREASURY.—Any
6 amounts remaining in the Fund after the end
7 of the fiscal year described in subparagraph (A)
8 shall be deposited in the general fund of the
9 Treasury.

10 (b) COMMON FUNDING MECHANISM FOR DEVELOP-
11 MENT AND ADOPTION OF MEASURABLY SECURE MICRO-
12 ELECTRONICS AND MEASURABLY SECURE MICROELEC-
13 TRONICS SUPPLY CHAINS.—

14 (1) IN GENERAL.—The Secretary of State, in
15 consultation with the Secretary of Commerce, the
16 Secretary of Defense, the Secretary of Homeland Se-
17 curity, the Secretary of the Treasury, and the Direc-
18 tor of National Intelligence, shall seek to establish a
19 common funding mechanism, in coordination with
20 the governments of countries that are partners of
21 the United States, that uses amounts from the
22 Fund, and amounts committed by such governments,
23 to support the development and adoption of secure
24 microelectronics and secure microelectronics supply
25 chains, including for use in research and develop-

1 ment collaborations among countries participating in
2 the common funding mechanism.

3 (2) MUTUAL COMMITMENTS.—The Secretary of
4 State, in consultation with the United States Trade
5 Representative, the Secretary of the Treasury, and
6 the Secretary of Commerce, shall seek to negotiate
7 a set of mutual commitments with the governments
8 of countries that are partners of the United States
9 upon which to condition any expenditure of funds
10 pursuant to the common funding mechanism de-
11 scribed in paragraph (1). Such commitments shall,
12 at a minimum—

13 (A) establish transparency requirements
14 for any subsidies or other financial benefits (in-
15 cluding revenue foregone) provided to microelec-
16 tronics firms located in or outside such coun-
17 tries;

18 (B) establish consistent policies with re-
19 spect to countries that—

20 (i) are not participating in the com-
21 mon funding mechanism; and

22 (ii) do not meet transparency require-
23 ments established under subparagraph (A);

24 (C) promote harmonized treatment of
25 microelectronics and verification processes for

1 items being exported to a country considered a
2 national security risk by a country participating
3 in the common funding mechanism;

4 (D) establish consistent policies and com-
5 mon external policies to address nonmarket
6 economies as the behavior of such countries
7 pertains to microelectronics;

8 (E) align policies on supply chain integrity
9 and microelectronics security, including with re-
10 spect to protection and enforcement of intellec-
11 tual property rights; and

12 (F) promote harmonized foreign direct in-
13 vestment screening measures with respect to
14 microelectronics to align with national and mul-
15 tilateral security priorities.

16 (c) ANNUAL REPORT TO CONGRESS.—Not later than
17 one year after the date of the enactment of this Act, and
18 annually thereafter for each fiscal year during which
19 amounts in the Fund are available under subsection
20 (a)(4), the Secretary of State shall submit to Congress a
21 report on the status of the implementation of this section
22 that includes a description of—

23 (1) any commitments made by the governments
24 of countries that are partners of the United States
25 to providing funding for the common funding mecha-

1 nism described in subsection (b)(1) and the specific
2 amount so committed;

3 (2) the criteria established for expenditure of
4 funds through the common funding mechanism;

5 (3) how, and to whom, amounts have been ex-
6 pended from the Fund;

7 (4) amounts remaining in the Fund;

8 (5) the progress of the Secretary of State to-
9 ward entering into an agreement with the govern-
10 ments of countries that are partners of the United
11 States to participate in the common funding mecha-
12 nism and the commitments described in subsection
13 (b)(2); and

14 (6) any additional authorities needed to en-
15 hance the effectiveness of the Fund in achieving the
16 security goals of the United States.

17 **SEC. 1098. ADVANCED SEMICONDUCTOR RESEARCH AND**
18 **DESIGN.**

19 (a) APPROPRIATE COMMITTEES OF CONGRESS.— In
20 this section, the term “appropriate committees of Con-
21 gress” means—

22 (1) the Committee on Intelligence, the Com-
23 mittee on Commerce, Science, and Transportation,
24 the Committee on Foreign Relations, the Committee
25 on Armed Services, the Committee on Energy and

1 Natural Resources, the Committee on Appropria-
2 tions, the Committee on Banking, Housing, and
3 Urban Affairs, and the Committee on Homeland Se-
4 curity and Governmental Affairs of the Senate; and

5 (2) the Permanent Select Committee on Intel-
6 ligence, the Committee on Energy and Commerce,
7 the Committee on Foreign Affairs, the Committee
8 on Armed Services, the Committee on Science,
9 Space, and Technology, the Committee on Financial
10 Services, and the Committee on Homeland Security
11 of the House of Representatives.

12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that the leadership of the United States in semicon-
14 ductor technology and innovation is critical to the eco-
15 nomic growth and national security of the United States.

16 (c) SUBCOMMITTEE ON SEMICONDUCTOR LEADER-
17 SHIP.—

18 (1) ESTABLISHMENT REQUIRED.—The Presi-
19 dent shall establish in the National Science and
20 Technology Council a subcommittee on matters re-
21 lating to leadership of the United States in semicon-
22 ductor technology and innovation.

23 (2) DUTIES.—The duties of the subcommittee
24 established under paragraph (1) are as follows:

1 (A) NATIONAL STRATEGY ON SEMICON-
2 DUCTOR RESEARCH.—

3 (i) DEVELOPMENT.—In coordination
4 with the Secretary of Defense, the Sec-
5 retary of Energy, the Secretary of State,
6 the Secretary of Commerce, the Secretary
7 of Homeland Security, the Director of the
8 National Science Foundation, and the Di-
9 rector of the National Institute of Stand-
10 ards and Technology and in consultation
11 with the semiconductor industry and aca-
12 demia, develop a national strategy on semi-
13 conductor research, development, manufac-
14 turing, and supply chain security, includ-
15 ing guidance for the funding of research,
16 and strengthening of the domestic micro-
17 electronics workforce.

18 (ii) REPORTING AND UPDATES.—Not
19 less frequently than once every 5 years, to
20 update the strategy developed under clause
21 (i) and to submit the revised strategy to
22 the appropriate committees of Congress.

23 (iii) IMPLEMENTATION.—In coordina-
24 tion with the Secretary of Defense, the
25 Secretary of Energy, the Secretary of

1 State, the Secretary of Commerce, the Sec-
2 retary of Homeland Security, the Director
3 of the National Science Foundation, and
4 the Director of the National Institute of
5 Standards and Technology, on an annual
6 basis coordinate and recommend each
7 agency's semiconductor related research
8 and development programs and budgets to
9 ensure consistency with the National Semi-
10 conductor Strategy.

11 (B) FOSTERING COORDINATION OF RE-
12 SEARCH AND DEVELOPMENT.—To foster the co-
13 ordination of semiconductor research and devel-
14 opment.

15 (3) SUNSET.—The subcommittee established
16 under paragraph (1) shall terminate on the date
17 that is 10 years after the date of enactment of this
18 Act.

19 (d) INDUSTRIAL ADVISORY COMMITTEE.—The Presi-
20 dent shall establish a standing subcommittee of the Presi-
21 dent's Council of Advisors on Science and Technology to
22 advise the United States Government on matters relating
23 to microelectronics policy.

24 (e) NATIONAL SEMICONDUCTOR TECHNOLOGY CEN-
25 TER.—

1 (1) ESTABLISHMENT.—The Secretary of Com-
2 merce shall establish a national semiconductor tech-
3 nology center to conduct research and prototyping of
4 advanced semiconductor technology to strengthen
5 the economic competitiveness and security of the do-
6 mestic supply chain, which will be operated as a
7 public private-sector consortium with participation
8 from the private sector, the Department of Defense,
9 the Department of Energy, the Department of
10 Homeland Security, the National Science Founda-
11 tion, and the National Institute of Standards and
12 Technology

13 (2) FUNCTIONS.—The functions of the center
14 established under paragraph (1) shall be as follows:

15 (A) To conduct advanced semiconductor
16 manufacturing, design research and prototyping
17 that strengthens the entire domestic ecosystem
18 and is aligned with the National Strategy on
19 Semiconductor Research.

20 (B) To establish a National Advanced
21 Packaging Manufacturing Program led by the
22 National Institute of Standards and Tech-
23 nology, in coordination with the Center, to
24 strengthen semiconductor advanced test, assem-
25 bly, and packaging capability in the domestic

1 ecosystem, and which shall coordinate with the
2 Manufacturing USA institute established under
3 paragraph (4).

4 (C) To establish an investment fund, in
5 partnership with the private sector, to support
6 startups in the domestic semiconductor eco-
7 system.

8 (D) To establish a Semiconductor Manu-
9 facturing Program through the Director of the
10 National Institute of Standards and Technology
11 to enable advances and breakthroughs in meas-
12 urement science, standards, material character-
13 ization, instrumentation, testing, and manufac-
14 turing capabilities that will accelerate the un-
15 derlying research and development for metrol-
16 ogy of next generation semiconductors and en-
17 sure the competitiveness and leadership of the
18 United States within this sector.

19 (E) To work with the Secretary of Labor,
20 the private sector, educational institutions, and
21 workforce training entities to develop workforce
22 training programs and apprenticeships in ad-
23 vanced microelectronic packaging capabilities.

24 (3) COMPONENTS.—The fund established under
25 paragraph (2)(C) shall cover the following:

1 (A) Advanced metrology and characteriza-
2 tion for manufacturing of microchips using 3
3 nanometer transistor processes or more ad-
4 vanced processes.

5 (B) Metrology for security and supply
6 chain verification.

7 (4) CREATION OF A MANUFACTURING USA IN-
8 STITUTE.—The fund established under paragraph
9 (2)(C) may also cover the creation of a Manufac-
10 turing USA institute described in section 34(d) of
11 the National Institute of Standards and Technology
12 Act (15 U.S.C. 278s(d)) that is focused on semicon-
13 ductor manufacturing. Such institute may emphasize
14 the following:

15 (A) Research to support the virtualization
16 and automation of maintenance of semicon-
17 ductor machinery.

18 (B) Development of new advanced test, as-
19 sembly and packaging capabilities.

20 (C) Developing and deploying educational
21 and skills training curricula needed to support
22 the industry sector and ensure the U.S. can
23 build and maintain a trusted and predictable
24 talent pipeline.

1 (f) DOMESTIC PRODUCTION REQUIREMENTS.—The
2 head of any executive agency receiving funding under this
3 section shall develop policies to require domestic produc-
4 tion, to the extent possible, for any intellectual property
5 resulting from microelectronics research and development
6 conducted as a result of these funds and domestic control
7 requirements to protect any such intellectual property
8 from foreign adversaries.

9 **SEC. 1099. PROHIBITION RELATING TO FOREIGN ADVER-**
10 **SARIES.**

11 None of the funds appropriated pursuant to an au-
12 thorization in this subtitle may be provided to an entity—

13 (1) under the foreign ownership, control, or in-
14 fluence of the Government of the People’s Republic
15 of China or the Chinese Communist Party, or other
16 foreign adversary (as defined in section 1091(a)(4));
17 or

18 (2) determined to have beneficial ownership
19 from foreign individuals subject to the jurisdiction,
20 direction, or influence of foreign adversaries (as so
21 defined).

1 **TITLE XI—CIVILIAN PERSONNEL**
2 **MATTERS**

3 **Subtitle A—Department of Defense**
4 **Matters**

5 **SEC. 1101. ENHANCED PAY AUTHORITY FOR CERTAIN AC-**
6 **QUISITION AND TECHNOLOGY POSITIONS IN**
7 **THE DEPARTMENT OF DEFENSE.**

8 (a) IN GENERAL.—Subchapter I of chapter 87 of title
9 10, United States Code, is amended by inserting after sec-
10 tion 1701a the following new section:

11 **“§ 1701b. Enhanced pay authority for certain acquisi-**
12 **tion and technology positions**

13 “(a) IN GENERAL.—The Secretary of Defense may
14 carry out a program using the pay authority specified in
15 subsection (d) to fix the rate of basic pay for positions
16 described in subsection (c) in order to assist the Office
17 of the Secretary of Defense and the military departments
18 in attracting and retaining high-quality acquisition and
19 technology experts in positions responsible for managing
20 and developing complex, high-cost, technological acquisi-
21 tion efforts of the Department of Defense.

22 “(b) APPROVAL REQUIRED.—The program may be
23 carried out only with approval as follows:

24 “(1) Approval of the Under Secretary of De-
25 fense for Acquisition and Sustainment, in the case

1 of positions in the Office of the Secretary of De-
2 fense.

3 “(2) Approval of the service acquisition execu-
4 tive of the military department concerned, in the
5 case of positions in a military department.

6 “(c) POSITIONS.—The positions described in this
7 subsection are positions that—

8 “(1) require expertise of an extremely high level
9 in a scientific, technical, professional, or acquisition
10 management field; and

11 “(2) are critical to the successful accomplish-
12 ment of an important acquisition or technology de-
13 velopment mission.

14 “(d) RATE OF BASIC PAY.—The pay authority speci-
15 fied in this subsection is authority as follows:

16 “(1) Authority to fix the rate of basic pay for
17 a position at a rate not to exceed 150 percent of the
18 rate of basic pay payable for level I of the Executive
19 Schedule, upon the approval of the Under Secretary
20 of Defense for Acquisition and Sustainment or the
21 service acquisition executive concerned, as applica-
22 ble.

23 “(2) Authority to fix the rate of basic pay for
24 a position at a rate in excess of 150 percent of the
25 rate of basic pay payable for level I of the Executive

1 Schedule, upon the approval of the Secretary of De-
2 fense.

3 “(e) LIMITATIONS.—

4 “(1) IN GENERAL.—The authority in subsection
5 (a) may be used only to the extent necessary to com-
6 petitively recruit or retain individuals exceptionally
7 well qualified for positions described in subsection
8 (c).

9 “(2) NUMBER OF POSITIONS.—The authority in
10 subsection (a) may not be used with respect to more
11 than five positions in the Office of the Secretary of
12 Defense and more than five positions in each mili-
13 tary department at any one time.

14 “(3) TERM OF POSITIONS.—The authority in
15 subsection (a) may be used only for positions having
16 terms less than five years.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of subchapter I of chapter 87 of such
19 title is amended by inserting after the item relating to sec-
20 tion 1701a the following new item:

“1701b. Enhanced pay authority for certain acquisition and technology posi-
tions.”.

21 (c) REPEAL OF PILOT PROGRAM.—

22 (1) IN GENERAL.—Section 1111 of the Na-
23 tional Defense Authorization Act for Fiscal Year
24 2016 (10 U.S.C. 1701 note) is repealed.

1 (2) CONTINUATION OF PAY.—The repeal in
2 paragraph (1) shall not be interpreted to prohibit
3 the payment of basic pay at rates fixed under such
4 section 1111 before the date of the enactment of this
5 Act for positions having terms that continue after
6 that date.

7 **SEC. 1102. ENHANCED PAY AUTHORITY FOR CERTAIN RE-**
8 **SEARCH AND TECHNOLOGY POSITIONS IN**
9 **THE SCIENCE AND TECHNOLOGY REINVEN-**
10 **TION LABORATORIES OF THE DEPARTMENT**
11 **OF DEFENSE.**

12 (a) IN GENERAL.—Chapter 139 of title 10, United
13 States Code, is amended by inserting after section 2358b
14 the following new section:

15 **“§ 2358c. Enhanced pay authority for certain re-**
16 **search and technology positions in**
17 **science and technology reinvention lab-**
18 **oratories**

19 “(a) IN GENERAL.—The Secretary of Defense may
20 carry out a program using the pay authority specified in
21 subsection (d) to fix the rate of basic pay for positions
22 described in subsection (c) in order to assist the military
23 departments in attracting and retaining high quality ac-
24 quisition and technology experts in positions responsible
25 for managing and performing complex, high-cost research

1 and technology development efforts in the science and
2 technology reinvention laboratories of the Department of
3 Defense.

4 “(b) APPROVAL REQUIRED.—The program may be
5 carried out in a military department only with the ap-
6 proval of the service acquisition executive of the military
7 department concerned.

8 “(c) POSITIONS.—The positions described in this
9 subsection are positions in the science and technology re-
10 invention laboratories of the Department of Defense
11 that—

12 “(1) require expertise of an extremely high level
13 in a scientific, technical, professional, or acquisition
14 management field; and

15 “(2) are critical to the successful accomplish-
16 ment of an important research or technology devel-
17 opment mission.

18 “(d) RATE OF BASIC PAY.—The pay authority speci-
19 fied in this subsection is authority as follows:

20 “(1) Authority to fix the rate of basic pay for
21 a position at a rate not to exceed 150 percent of the
22 rate of basic pay payable for level I of the Executive
23 Schedule, upon the approval of the service acquisi-
24 tion executive concerned.

1 “(2) Authority to fix the rate of basic pay for
2 a position at a rate in excess of 150 percent of the
3 rate of basic pay payable for level I of the Executive
4 Schedule, upon the approval of the Secretary of the
5 military department concerned.

6 “(e) LIMITATIONS.—

7 “(1) IN GENERAL.—The authority in subsection
8 (a) may be used only to the extent necessary to com-
9 petitively recruit or retain individuals exceptionally
10 well qualified for positions described in subsection
11 (c).

12 “(2) NUMBER OF POSITIONS.—The authority in
13 subsection (a) may not be used with respect to more
14 than five positions in each military department at
15 any one time.

16 “(3) TERM OF POSITIONS.—The authority in
17 subsection (a) may be used only for positions having
18 a term of less than five years.

19 “(f) SCIENCE AND TECHNOLOGY REINVENTION LAB-
20 ORATORIES OF THE DEPARTMENT OF DEFENSE DE-
21 FINED.—In this section, the term ‘science and technology
22 reinvention laboratories of the Department of Defense’
23 means the laboratories designated as science and tech-
24 nology reinvention laboratories by section 1105(a) of the

1 National Defense Authorization Act for Fiscal Year 2010
2 (10 U.S.C. 2358 note).”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 139 of such title is amended
5 by inserting after the item relating to section 2358b the
6 following new item:

“2358c. Enhanced pay authority for certain research and technology positions
in science and technology reinvention laboratories.”.

7 (c) REPEAL OF PILOT PROGRAM.—

8 (1) IN GENERAL.—Section 1124 of the Na-
9 tional Defense Authorization Act for Fiscal Year
10 2017 (Public Law 114–328; 130 Stat. 2456; 10
11 U.S.C. 2358 note) is repealed.

12 (2) CONTINUATION OF PAY.—The repeal in
13 paragraph (1) shall not be interpreted to prohibit
14 the payment of basic pay at rates fixed under such
15 section 1124 before the date of the enactment of this
16 Act for positions having terms that continue after
17 that date.

1 **SEC. 1103. EXTENSION OF ENHANCED APPOINTMENT AND**
2 **COMPENSATION AUTHORITY FOR CIVILIAN**
3 **PERSONNEL FOR CARE AND TREATMENT OF**
4 **WOUNDED AND INJURED MEMBERS OF THE**
5 **ARMED FORCES.**

6 Section 1599c(b) of title 10, United States Code, is
7 amended by striking “December 31, 2020” both places it
8 appears and inserting “December 31, 2025”.

9 **SEC. 1104. EXTENSION OF OVERTIME RATE AUTHORITY**
10 **FOR DEPARTMENT OF THE NAVY EMPLOYEES**
11 **PERFORMING WORK ABOARD OR DOCKSIDE**
12 **IN SUPPORT OF THE NUCLEAR-POWERED**
13 **AIRCRAFT CARRIER FORWARD DEPLOYED IN**
14 **JAPAN.**

15 Section 5542(a)(6)(B) of title 5, United States Code,
16 is amended by striking “September 30, 2021” and insert-
17 ing “September 30, 2023”.

18 **SEC. 1105. EXPANSION OF DIRECT HIRE AUTHORITY FOR**
19 **CERTAIN DEPARTMENT OF DEFENSE PER-**
20 **SONNEL TO INCLUDE INSTALLATION MILI-**
21 **TARY HOUSING OFFICE POSITIONS SUPER-**
22 **VISING PRIVATIZED MILITARY HOUSING.**

23 Section 9905(a) of title 5, United States Code, is
24 amended by adding at the end the following new para-
25 graph:

1 “(11) Any position in the military housing of-
2 fice of a military installation whose primary function
3 is supervision of military housing covered by sub-
4 chapter IV of chapter 169 of title 10.”.

5 **SEC. 1106. EXTENSION OF SUNSET OF INAPPLICABILITY OF**
6 **CERTIFICATION OF EXECUTIVE QUALIFICA-**
7 **TIONS BY QUALIFICATION CERTIFICATION**
8 **REVIEW BOARD OF OFFICE OF PERSONNEL**
9 **MANAGEMENT FOR INITIAL APPOINTMENTS**
10 **TO SENIOR EXECUTIVE SERVICE POSITIONS**
11 **IN DEPARTMENT OF DEFENSE.**

12 Section 1109(e) of the John S. McCain National De-
13 fense Authorization Act for Fiscal Year 2019 (Public Law
14 115–232; 132 Stat. 2010; 5 U.S.C. 3393 note) is amended
15 by striking “on the date” and all that follows and inserting
16 “on August 13, 2023.”

17 **SEC. 1107. PILOT PROGRAM ON ENHANCED PAY AUTHOR-**
18 **ITY FOR CERTAIN HIGH-LEVEL MANAGEMENT**
19 **POSITIONS IN THE DEPARTMENT OF DE-**
20 **FENSE.**

21 (a) **PILOT PROGRAM AUTHORIZED.**—The Secretary
22 of Defense may carry out a pilot program to assess the
23 feasibility and advisability of using the pay authority spec-
24 ified in subsection (d) to fix the rate of basic pay for posi-
25 tions described in subsection (c) in order to assist the De-

1 partment of Defense in attracting and retaining personnel
2 with significant experience in high-level management of
3 complex organizations and enterprise functions in order
4 to lead implementation by the Department of the National
5 Defense Strategy.

6 (b) APPROVAL REQUIRED.—The pilot program may
7 be carried out only with approval as follows:

8 (1) Approval of the Deputy Secretary of De-
9 fense, in the case of a position not under the author-
10 ity, direction, and control of an Under Secretary of
11 Defense and not under the authority, direction, and
12 control of the Under Secretary of a military depart-
13 ment.

14 (2) Approval of the applicable Under Secretary
15 of Defense, in the case of a position under the au-
16 thority, direction, and control of an Under Secretary
17 of Defense.

18 (3) Approval of the Under Secretary or an As-
19 sistant Secretary of the military department con-
20 cerned, in the case of a position in a military depart-
21 ment.

22 (c) POSITIONS.—The positions described in this sub-
23 section are positions that require expertise of an extremely
24 high level in innovative leadership and management of en-
25 terprise-wide business operations, including financial man-

1 agement, health care, supply chain and logistics, informa-
2 tion technology, real property stewardship, and human re-
3 sources, across a large and complex organization.

4 (d) RATE OF BASIC PAY.—The pay authority speci-
5 fied in this subsection is authority as follows:

6 (1) Authority to fix the rate of basic pay for a
7 position at a rate not to exceed 150 percent of the
8 rate of basic pay payable for level I of the Executive
9 Schedule, upon the approval of the applicable official
10 under subsection (b).

11 (2) Authority to fix the rate of basic pay for a
12 position at a rate in excess of 150 percent of the
13 rate of basic pay payable for level I of the Executive
14 Schedule, upon the approval of the Secretary of De-
15 fense.

16 (e) LIMITATIONS.—

17 (1) IN GENERAL.—The authority in subsection
18 (a) may be used only to the extent necessary to com-
19 petitively recruit or retain individuals exceptionally
20 well qualified for positions described in subsection
21 (c).

22 (2) NUMBER OF POSITIONS.—The authority in
23 subsection (a) may not be used with respect to—

24 (A) more than 10 positions in the Office of
25 the Secretary of Defense and components of the

1 Department of Defense other than the military
2 departments at any one time; and

3 (B) more than five positions in each mili-
4 tary department at any one time.

5 (3) TERM OF POSITIONS.—The authority in
6 subsection (a) may be used only for positions having
7 terms less than five years.

8 (4) PAST SERVICE.—An individual may not be
9 appointed to a position pursuant to the authority
10 provided by subsection (a) if the individual separated
11 or retired from Federal civil service or service as a
12 commissioned officer of an Armed Force on a date
13 that is less than five years before the date of such
14 appointment of the individual.

15 (f) TERMINATION.—

16 (1) IN GENERAL.—The authority to fix rates of
17 basic pay for a position under this section shall ter-
18minate on October 1, 2025.

19 (2) CONTINUATION OF PAY.—Nothing in para-
20graph (1) shall be construed to prohibit the payment
21 after October 1, 2025, of basic pay at rates fixed
22 under this section before that date for positions
23 whose terms continue after that date.

1 **SEC. 1108. PILOT PROGRAM ON EXPANDED AUTHORITY**
2 **FOR APPOINTMENT OF RECENTLY RETIRED**
3 **MEMBERS OF THE ARMED FORCES TO POSI-**
4 **TIONS IN THE DEPARTMENT OF DEFENSE.**

5 (a) **PILOT PROGRAM REQUIRED.**—The Secretary of
6 Defense shall carry out a pilot program to assess the feasi-
7 bility and advisability of expanding the use of the author-
8 ity in section 3326 of title 5, United States Code, to ap-
9 point retired members of the Armed Forces described in
10 subsection (b) of that section to positions in the Depart-
11 ment of Defense described in subsection (b) of this section.

12 (b) **POSITIONS.**—

13 (1) **IN GENERAL.**—The positions in the Depart-
14 ment described in this subsection are positions clas-
15 sified at or below GS–13 under the General Sched-
16 ule under subchapter III of chapter 53 of title 5,
17 United States Code, or an equivalent level under an-
18 other wage system, in the competitive service—

19 (A) to which appointments are authorized
20 using Direct Hire Authority or Expedited Hir-
21 ing Authority; and

22 (B) that have been certified by the Sec-
23 retary of the military department concerned as
24 lacking sufficient numbers of potential appli-
25 cants who are not retired members of the
26 Armed Forces.

1 (2) LIMITATION ON DELEGATION OF CERTIFI-
2 CATION.—The Secretary of a military department
3 may not delegate the authority to make a certifi-
4 cation described in paragraph (1)(B) to an indi-
5 vidual in a grade lower than colonel, captain in the
6 Navy, or an equivalent grade in the Space Force, or
7 an individual with an equivalent civilian grade.

8 (c) DURATION.—The duration of the pilot program
9 shall be three years.

10 (d) REPORT.—Not later than two years after the
11 commencement of the pilot program, the Secretary of De-
12 fense shall submit to the congressional defense committees
13 a report on the pilot program. The report shall include
14 the following:

15 (1) A description of the pilot program, includ-
16 ing the positions to which appointments are author-
17 ized to be made under the pilot program and the
18 number of retired members appointed to each such
19 position under the pilot program.

20 (2) Any other matters in connection with the
21 pilot program that the Secretary considers appro-
22 priate.

1 **SEC. 1109. DIRECT HIRE AUTHORITY AND RELOCATION IN-**
2 **CENTIVES FOR POSITIONS AT REMOTE LOCA-**
3 **TIONS.**

4 (a) IN GENERAL.—Chapter 81 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 1599i. Direct hire authority and relocation incen-**
8 **tives for positions at remote locations**

9 “(a) DIRECT HIRE AUTHORITY.—

10 “(1) IN GENERAL.—The Secretary of Defense
11 may appoint, without regard to any provision of sub-
12 chapter I of chapter 33 of title 5, qualified appli-
13 cants to positions in the competitive service to fill
14 vacancies at covered locations.

15 “(2) COVERED LOCATIONS.—For purposes of
16 this section, a covered location is a location for
17 which the Secretary has determined that critical hir-
18 ing needs are not being met due to the geographic
19 remoteness or isolation or extreme climate conditions
20 of the location.

21 “(b) RELOCATION INCENTIVES.—

22 “(1) IN GENERAL.—An individual appointed to
23 a position pursuant to subsection (a) may be paid a
24 relocation incentive in connection with the relocation
25 of the individual to the location of the position.

1 “(2) AMOUNT.—The amount of a relocation in-
2 centive payable to an individual under this sub-
3 section may not exceed the amount equal to—

4 “(A) 25 percent of the annual rate of basic
5 pay of the employee for the position concerned
6 as of the date on which the service period in
7 such position agreed to by the individual under
8 paragraph (3) commences; multiplied by

9 “(B) the number of years (including frac-
10 tions of a year) of such service period (not to
11 exceed four years).

12 “(3) SERVICE AGREEMENT.—To receive a relo-
13 cation incentive under this subsection, an individual
14 appointed to a position under subsection (a) shall
15 enter into an agreement with the Secretary of De-
16 fense to complete a period of service at the covered
17 location. The period of obligated service of the indi-
18 vidual at such location under the agreement may not
19 exceed four years. The agreement shall include such
20 repayment or alternative employment obligations as
21 the Secretary considers appropriate for failure of the
22 individual to complete the period of obligated service
23 specified in the agreement.

24 “(4) RELATIONSHIP TO OTHER RELOCATION
25 PAY.—A relocation incentive paid to an individual

1 for a relocation under this subsection is in addition
2 to any other relocation incentive or payment payable
3 to the individual for such relocation by law.

4 “(c) SUNSET.—Effective on September 30, 2022, the
5 authority provided under subsection (a) and the authority
6 to provide relocation incentives under subsection (b) shall
7 expire.”.

8 (b) OUTCOME MEASUREMENTS.—The Secretary of
9 Defense shall develop outcome measurements to evaluate
10 the effect of the authority provided under subsection (a)
11 of section 1599i of title 10, United States Code, as added
12 by subsection (a), and any relocation incentives provided
13 under subsection (b) of such section.

14 (c) REPORT REQUIRED.—

15 (1) IN GENERAL.—Not later than March 1,
16 2022, the Secretary of Defense shall submit to the
17 congressional defense committees a report on the ef-
18 fect of the authority provided under subsection (a)
19 of section 1599i of title 10, United States Code, as
20 added by subsection (a), and any relocation incen-
21 tives provided under subsection (b) of such section.

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

24 (A) A description and assessment of the ef-
25 fectiveness and achievements of the authority

1 and relocation incentives described in paragraph
2 (1), including—

3 (i) the number of employees hired to
4 covered locations described in section
5 1599i(a)(2) of title 10, United States
6 Code, as added by subsection (a); and

7 (ii) the cost-per-placement of such em-
8 ployees.

9 (B) A comparison of the effectiveness and
10 use of the authority and relocation incentives
11 described in paragraph (1) to authorities under
12 title 5, United States Code, used by the Depart-
13 ment of Defense before the date of the enact-
14 ment of this Act to support hiring at remote or
15 rural locations.

16 (C) An assessment of—

17 (i) the minority community outreach
18 efforts made in using the authority and
19 providing relocation incentives described in
20 paragraph (1); and

21 (ii) participation outcomes.

22 (D) Such other matters as the Secretary
23 considers appropriate.

24 (d) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 81 of title 10, United States

1 Code, is amended by adding at the end the following new
2 item:

“1599i. Direct hire authority and relocation incentives for positions at remote
locations.”.

3 **SEC. 1110. MODIFICATION OF DIRECT HIRE AUTHORITY**
4 **FOR CERTAIN PERSONNEL INVOLVED WITH**
5 **DEPARTMENT OF DEFENSE MAINTENANCE**
6 **ACTIVITIES.**

7 Section 9905(a)(1) of title 5, United States Code, is
8 amended by striking “including” and all that follows and
9 inserting the following: “including—

10 “(A) depot-level maintenance and repair;

11 and

12 “(B) support functions for such activi-
13 ties.”.

14 **SEC. 1110A. FIRE FIGHTERS ALTERNATIVE WORK SCHED-**
15 **ULE DEMONSTRATION PROJECT FOR THE**
16 **NAVY REGION MID-ATLANTIC FIRE AND**
17 **EMERGENCY SERVICES.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of the enactment of this Act, the Commander, Navy
20 Region Mid-Atlantic, shall establish and carry out, for a
21 period of not less than five years, a Fire Fighters Alter-
22 native Work Schedule demonstration project for the Navy
23 Region Mid-Atlantic Fire and Emergency Services. Such
24 demonstration project shall provide, with respect to each

1 employee of the Navy Region Mid-Atlantic Fire and Emer-
2 gency Services, that—

3 (1) assignments to tours of duty are scheduled
4 in advance over periods of not less than two weeks;

5 (2) tours of duty are scheduled using a regu-
6 larly recurring pattern of 48-hour shifts followed by
7 48 or 72 consecutive non-work hours, as determined
8 by mutual agreement between the Commander, Navy
9 Region Mid-Atlantic, and the exclusive employee rep-
10 resentative at each Navy Region Mid-Atlantic instal-
11 lation, in such a manner that each employee is regu-
12 larly scheduled for 144-hours in any two-week pe-
13 riod;

14 (3) for any such employee that is a fire fighter
15 working an alternative work schedule, such employee
16 shall earn overtime compensation in a manner con-
17 sistent with other applicable law and regulation;

18 (4) no right shall be established to any form of
19 premium pay, including night, Sunday, holiday, or
20 hazard duty pay; and

21 (5) leave accrual and use shall be consistent
22 with other applicable law and regulation.

23 (b) REPORT.—Not later than 180 days after the date
24 on which the demonstration project under this section ter-
25 minates, the Commander, Navy Region Mid-Atlantic, shall

1 submit to the Committees on Armed Services of the Sen-
2 ate and the House of Representatives a report detailing—

3 (1) any financial savings or expenses directly
4 and inseparably linked to the demonstration project;

5 (2) any intangible quality of life and morale im-
6 provements achieved by the demonstration project;

7 and

8 (3) any adverse impact of the demonstration
9 project occurring solely as the result of the transi-
10 tion to the demonstration project.

11 **SEC. 1110B. REPORT BY COMPTROLLER GENERAL OF THE**
12 **UNITED STATES ON DIVERSITY AND INCLU-**
13 **SION WITHIN THE CIVILIAN WORKFORCE OF**
14 **THE DEPARTMENT OF DEFENSE.**

15 (a) IN GENERAL.—Not later than 1 year after enact-
16 ment of this act, the Comptroller General of the United
17 States shall submit to Congress a report on issues related
18 to diversity and inclusion within the civilian workforce of
19 the Department of Defense.

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

22 (1) A description of the demographic composi-
23 tion of the civilian workforce of the Department.

1 (2) An assessment of any differences in pro-
2 motion outcomes among demographic groups of the
3 civilian workforce of the Department.

4 (3) An assessment of the extent to which the
5 Department has identified barriers to diversity in its
6 civilian workforce.

7 **Subtitle B—Government-Wide**
8 **Matters**

9 **SEC. 1111. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
10 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
11 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
12 **FICIAL DUTY IN A COMBAT ZONE.**

13 Paragraph (2) of section 1603(a) of the Emergency
14 Supplemental Appropriations Act for Defense, the Global
15 War on Terror, and Hurricane Recovery, 2006 (Public
16 Law 109–234; 120 Stat. 443), as added by section 1102
17 of the Duncan Hunter National Defense Authorization
18 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
19 4616) and as most recently amended by section 1104 of
20 the National Defense Authorization Act for Fiscal Year
21 2020 (Public Law 116–92), is further amended by strik-
22 ing “2021” and inserting “2022”.

1 **SEC. 1112. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
2 **ANNUAL LIMITATION ON PREMIUM PAY AND**
3 **AGGREGATE LIMITATION ON PAY FOR FED-**
4 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
5 **SEAS.**

6 Subsection (a) of section 1101 of the Duncan Hunter
7 National Defense Authorization Act for Fiscal Year 2009
8 (Public Law 110–417; 122 Stat. 4615), as most recently
9 amended by section 1105 of the National Defense Author-
10 ization Act for Fiscal Year 2020 (Public Law 116–92),
11 is further amended by striking “through 2020” and in-
12 serting “through 2021”.

13 **SEC. 1113. TECHNICAL AMENDMENTS TO AUTHORITY FOR**
14 **REIMBURSEMENT OF FEDERAL, STATE, AND**
15 **LOCAL INCOME TAXES INCURRED DURING**
16 **TRAVEL, TRANSPORTATION, AND RELOCA-**
17 **TION.**

18 (a) IN GENERAL.—Section 5724b(b) of title 5,
19 United States Code, is amended—

20 (1) by striking “or relocation expenses reim-
21 bursed” and inserting “and relocation expenses re-
22 imbursed”; and

23 (2) by striking “of chapter 41” and inserting
24 “or chapter 41”.

25 (b) EFFECTIVE DATE.—The amendments made by
26 subsection (a) shall take effect on January 1, 2018, imme-

1 diately after the coming into effect of the amendments
2 made by subsection (a) of section 1114 of the National
3 Defense Authorization Act for Fiscal Year 2020 (Public
4 Law 116–92), as provided for in subsection (c) of such
5 section 1114.

6 **TITLE XII—MATTERS RELATING**
7 **TO FOREIGN NATIONS**
8 **Subtitle A—Assistance and**
9 **Training**

10 **SEC. 1201. AUTHORITY TO BUILD CAPACITY FOR ADDI-**
11 **TIONAL OPERATIONS.**

12 Section 333(a) of title 10, United States Code, is
13 amended by adding at the end the following new para-
14 graph:

15 “(8) Cyberspace operations.”.

16 **SEC. 1202. AUTHORITY TO BUILD CAPACITY FOR AIR SOV-**
17 **EREIGNTY OPERATIONS.**

18 Section 333(a) of title 10, United States Code, as
19 amended by section 1201, is further amended—

20 (1) by redesignating paragraphs (7) and (8) as
21 paragraphs (8) and (9), respectively; and

22 (2) by inserting after paragraph (6) the fol-
23 lowing new paragraph (7):

24 “(7) Air sovereignty operations.”.

1 **SEC. 1203. MODIFICATION TO THE INTER-EUROPEAN AIR**
2 **FORCES ACADEMY.**

3 Section 350(b) of title 10, United States Code, is
4 amended by striking “that are” and all that follows
5 through the period at the end and inserting “that are—

6 “(1) members of the North Atlantic Treaty Or-
7 ganization;

8 “(2) signatories to the Partnership for Peace
9 Framework Documents; or

10 “(3)(A) within the United States Africa Com-
11 mand area of responsibility; and

12 “(B) eligible for assistance under chapter 5 of
13 part II of the Foreign Assistance Act of 1961 (22
14 U.S.C. 2347 et seq.).”.

15 **SEC. 1204. MODIFICATION TO SUPPORT OF SPECIAL OPER-**
16 **ATIONS FOR IRREGULAR WARFARE.**

17 Subsection (a) of section 1202 of the National De-
18 fense Authorization Act for Fiscal Year 2018 (Public Law
19 115–91; 131 Stat. 1639), as most recently amended by
20 section 1207 of the National Defense Authorization Act
21 for Fiscal Year 2020 (Public Law 116–92), is further
22 amended by striking “\$10,000,000” and inserting
23 “\$15,000,000”.

1 **SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO SUPPORT BORDER SECURITY OPER-**
3 **ATIONS OF CERTAIN FOREIGN COUNTRIES.**

4 (a) FUNDS AVAILABLE FOR SUPPORT.—Subsection
5 (b) of section 1226 of the National Defense Authorization
6 Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amend-
7 ed to read as follows:

8 “(b) FUNDS AVAILABLE FOR SUPPORT.—Amounts to
9 provide support under the authority of subsection (a) may
10 be derived only from amounts authorized to be appro-
11 priated and available for operation and maintenance, De-
12 fense-wide.”.

13 (b) EXTENSION.—Subsection (h) of such section is
14 amended by striking “December 31, 2021” and inserting
15 “December 31, 2023”.

16 **SEC. 1206. MODIFICATION OF AUTHORITY FOR PARTICIPA-**
17 **TION IN MULTINATIONAL CENTERS OF EX-**
18 **CELLENCE.**

19 (a) IN GENERAL.—Section 344 of title 10, United
20 States Code, is amended—

21 (1) in the section heading, by striking “**multi-**
22 **national military centers of excellence**”
23 and inserting “**multinational centers of ex-**
24 **cellence**”;

1 (2) by striking “multinational military center of
2 excellence” each place it appears and inserting “mul-
3 tination center of excellence”;

4 (3) by striking “multinational military centers
5 of excellence” each place it appears and inserting
6 “multinational centers of excellence”;

7 (4) in subsection (b)(1), by inserting “or en-
8 tered into by the Secretary of State,” after “Sec-
9 retary of State,”;

10 (5) in subsection (e)—

11 (A) in the subsection heading, by striking
12 “MULTINATIONAL MILITARY CENTER OF EX-
13 CELLENCE ” and inserting “MULTINATIONAL
14 CENTER OF EXCELLENCE”;

15 (B) by redesignating paragraphs (1)
16 through (4) as subparagraphs (A) through (D),
17 respectively, and moving the subparagraphs two
18 ems to the right;

19 (C) in the matter preceding subparagraph
20 (A), as so redesignated, by striking “means an
21 entity” and inserting “means—
22 “(1) an entity”;

23 (D) in subparagraph (D), as so redesign-
24 ated, by striking the period at the end and in-
25 serting “; and”; and

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

3 “(2) the European Centre of Excellence for
4 Countering Hybrid Threats, established in 2017 and
5 located in Helsinki, Finland.”;

6 (6) by redesignating subsection (e) as sub-
7 section (f); and

8 (7) by inserting after subsection (d) the fol-
9 lowing new subsection (e):

10 “(e) NOTIFICATION.—Not later than 30 days before
11 the date on which the Secretary of Defense authorizes par-
12 ticipation under subsection (a) in a new multinational cen-
13 ter of excellence, the Secretary shall notify the congres-
14 sional defense committees of such participation.”.

15 (b) CONFORMING AMENDMENT.—Title 10, United
16 States Code, is amended, in the table of sections at the
17 beginning of subchapter V of chapter 16, by striking the
18 item relating to section 344 and inserting the following:

“344. Participation in multinational centers of excellence.”.

19 **SEC. 1207. IMPLEMENTATION OF THE WOMEN, PEACE, AND**
20 **SECURITY ACT OF 2017.**

21 (a) IN GENERAL.—During the period beginning on
22 the date of the enactment of this Act and ending on Sep-
23 tember 30, 2025, the Secretary of Defense shall undertake
24 activities consistent with the Women, Peace, and Security

1 Act of 2017 (Public Law 115–68; 131 Stat. 1202) and
2 with the guidance specified in this section, including—

3 (1) establishing Department of Defense-wide
4 policies and programs that advance the implementa-
5 tion of that Act, including military doctrine and De-
6 partment-specific and combatant command-specific
7 programs;

8 (2) ensuring the Department sufficient per-
9 sonnel to serve as gender advisors, including by hir-
10 ing and training full-time equivalent personnel, as
11 necessary, and establishing roles, responsibilities,
12 and requirements for gender advisors;

13 (3) the deliberate integration of gender analysis
14 into relevant training for members of the Armed
15 Forces across ranks, as described in the Women’s
16 Entrepreneurship and Economic Empowerment Act
17 of 2018 (Public Law 115–428; 132 Stat. 5509); and

18 (4) security cooperation activities that further
19 the implementation of the Women, Peace, and Secu-
20 rity Act of 2017 (Public Law 115–68; 131 Stat.
21 1202).

22 (b) BUILDING PARTNER DEFENSE INSTITUTION AND
23 SECURITY FORCE CAPACITY.—

24 (1) INCORPORATION OF GENDER ANALYSIS AND
25 PARTICIPATION OF WOMEN INTO SECURITY CO-

1 OPERATION ACTIVITIES.—Consistent with the
2 Women, Peace, and Security Act of 2017 (Public
3 Law 115–68; 131 Stat. 1202), the Secretary of De-
4 fense, in coordination with the Secretary of State,
5 shall seek to incorporate gender analysis and partici-
6 pation by women, as appropriate, into the institu-
7 tional and national security force capacity-building
8 activities of security cooperation programs carried
9 out under title 10, United States Code, including
10 by—

11 (A) incorporating gender analysis and
12 women, peace, and security priorities, including
13 sex-disaggregated data, into educational and
14 training materials and programs authorized by
15 section 333 of title 10, United States Code;

16 (B) advising on the recruitment, employ-
17 ment, development, retention, and promotion of
18 women in such national security forces, includ-
19 ing by—

20 (i) identifying existing military career
21 opportunities for women;

22 (ii) exposing women and girls to ca-
23 reers available in such national security
24 forces and the skills necessary for such ca-
25 reers; and

1 (iii) encouraging women's and girls'
2 interest in such careers by highlighting as
3 role models women of the United States
4 and applicable foreign countries in uni-
5 form;

6 (C) addressing sexual harassment and
7 abuse against women within such national secu-
8 rity forces;

9 (D) integrating gender analysis into secu-
10 rity sector policy, planning, and training for
11 such national security forces; and

12 (E) improving infrastructure to address
13 the requirements of women serving in such na-
14 tional security forces, including appropriate
15 equipment for female security and police forces.

16 (2) BARRIERS AND OPPORTUNITIES.—Partner
17 country assessments conducted in the course of De-
18 partment security cooperation activities to build the
19 capacity of the national security forces of foreign
20 countries shall include attention to the barriers and
21 opportunities with respect to strengthening recruit-
22 ment, employment, development, retention, and pro-
23 motion of women in the military forces of such part-
24 ner countries.

1 (c) DEPARTMENT-WIDE POLICIES ON WOMEN,
2 PEACE, AND SECURITY.—Not later than 90 days after the
3 date of the enactment of this Act, the Secretary of Defense
4 shall initiate a process to establish standardized policies
5 described in subsection (a)(1).

6 (d) FUNDING.—The Secretary of Defense may use
7 funds authorized to be appropriated in each fiscal year to
8 the Department of Defense for operation and maintenance
9 as specified in the table in section 4301 for carrying out
10 the full implementation of the Women, Peace, and Secu-
11 rity Act of 2017 (Public Law 115–68; 131 Stat. 1202)
12 and the guidance on the matters described in paragraphs
13 (1) through (4) of subsection (a) and subparagraphs (A)
14 through (E) of subsection (b)(1).

15 (e) ANNUAL REPORT.—Not later than one year after
16 the date of the enactment of this Act, and annually there-
17 after through 2025, the Secretary of Defense shall submit
18 to the appropriate committees of Congress a report on the
19 steps the Department has taken to implement the Women,
20 Peace, and Security Act of 2017 (Public Law 115–68; 131
21 Stat. 1202), including—

22 (1) a description of the progress made on each
23 matter described in paragraphs (1) through (4) of
24 subsection (a) and subparagraphs (A) through (E)
25 of subsection (b)(1); and

1 (2) an identification of the amounts used for
2 such purposes.

3 (f) APPROPRIATE COMMITTEES OF CONGRESS DE-
4 FINED.—In this section, the term “appropriate commit-
5 tees of Congress” means—

6 (1) the Committee on Armed Services and the
7 Committee on Foreign Relations of the Senate; and

8 (2) the Committee on Armed Services and the
9 Committee on Foreign Affairs of the House of Rep-
10 resentatives.

11 **SEC. 1208. TED STEVENS CENTER FOR ARCTIC SECURITY**
12 **STUDIES.**

13 (a) PLAN REQUIRED.—

14 (1) IN GENERAL.—Not later than 90 days after
15 the date of the enactment of this Act, the Secretary
16 of Defense, in coordination with the Secretary of
17 State, shall submit to the congressional defense com-
18 mittees a plan to establish a Department of Defense
19 Regional Center for Security Studies for the Arctic.

20 (2) ELEMENTS.—The plan required by para-
21 graph (1) shall include the following:

22 (A) A description of the benefits of estab-
23 lishing such a center, including the manner in
24 which the establishment of such a center would

1 benefit United States and Department interests
2 in the Arctic region.

3 (B) A description of the mission and pur-
4 pose of such a center, including specific policy
5 guidance from the Office of the Secretary of
6 Defense.

7 (C) An analysis of suitable reporting rela-
8 tionships with the applicable combatant com-
9 mands.

10 (D) An assessment of suitable locations for
11 such a center that are—

12 (i) in proximity to other academic in-
13 stitutions that study security implications
14 with respect to the Arctic region;

15 (ii) in proximity to the designated
16 lead for Arctic affairs of the United States
17 Northern Command;

18 (iii) in proximity to a central hub of
19 assigned Arctic-focused Armed Forces so
20 as to suitably advance relevant professional
21 development of skills unique to the Arctic
22 region; and

23 (iv) in a State located outside the con-
24 tiguous United States.

1 (E) A description of the establishment and
2 operational costs of such a center, including
3 for—

4 (i) military construction for required
5 facilities;

6 (ii) facility renovation;

7 (iii) personnel costs for faculty and
8 staff; and

9 (iv) other costs the Secretary of De-
10 fense considers appropriate.

11 (F) An evaluation of the existing infra-
12 structure, resources, and personnel available at
13 military installations and at universities and
14 other academic institutions that could reduce
15 the costs described in accordance with subpara-
16 graph (E).

17 (G) An examination of partnership oppor-
18 tunities with United States allies and partners
19 for potential collaboration and burden sharing.

20 (H) A description of potential courses and
21 programs that such a center could carry out,
22 including—

23 (i) core, specialized, and advanced
24 courses;

25 (ii) planning workshops;

- 1 (iii) seminars;
- 2 (iv) confidence-building initiatives;
- 3 and
- 4 (v) academic research.

5 (I) A description of any modification to
6 title 10, United States Code, necessary for the
7 effective operation of such a center.

8 (3) FORM.—The plan required by paragraph
9 (1) shall be submitted in unclassified form, but may
10 include a classified annex.

11 (b) ESTABLISHMENT.—

12 (1) IN GENERAL.—Not earlier than 30 days
13 after the submittal of the plan required by sub-
14 section (a), and subject to the availability of appro-
15 priations, the Secretary of Defense may establish
16 and administer a Department of Defense Regional
17 Center for Security Studies for the Arctic, to be
18 known as the “Ted Stevens Center for Arctic Secu-
19 rity Studies”, for the purpose described in section
20 342(a) of title 10, United States Code.

21 (2) LOCATION.—The Ted Stevens Center for
22 Arctic Security Studies may be located—

23 (A) in proximity to other academic institu-
24 tions that study security implications with re-
25 spect to the Arctic region;

1 (B) in proximity to the designated lead for
2 Arctic affairs of the United States Northern
3 Command;

4 (C) in proximity to a central hub of as-
5 signed Arctic-focused Armed Forces so as to
6 suitably advance relevant professional develop-
7 ment of skills unique to the Arctic region; and

8 (D) in a State located outside the contig-
9 uous United States.

10 **SEC. 1209. FUNCTIONAL CENTER FOR SECURITY STUDIES**
11 **IN IRREGULAR WARFARE.**

12 (a) REPORT REQUIRED.—

13 (1) IN GENERAL.—Not later than 90 days after
14 the date of the enactment of this Act, the Secretary
15 of Defense, in consultation with the Secretary of
16 State, shall submit to the congressional defense com-
17 mittees a report that assesses the merits and feasi-
18 bility of establishing and administering a Depart-
19 ment of Defense Functional Center for Security
20 Studies in Irregular Warfare.

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

23 (A) A description of the benefits to the
24 United States, and the allies and partners of
25 the United States, of establishing such a func-

1 tional center, including the manner in which the
2 establishment of such a functional center would
3 enhance and sustain focus on, and advance
4 knowledge and understanding of, matters of ir-
5 regular warfare, including cybersecurity,
6 nonstate actors, information operations,
7 counterterrorism, stability operations, and the
8 hybridization of such matters.

9 (B) A detailed description of the mission
10 and purpose of such a functional center, includ-
11 ing applicable policy guidance from the Office
12 of the Secretary of Defense.

13 (C) An analysis of appropriate reporting
14 and liaison relationships between such a func-
15 tional center and—

16 (i) the geographic and functional com-
17 batant commands;

18 (ii) other Department of Defense
19 stakeholders; and

20 (iii) other government and nongovern-
21 ment entities and organizations.

22 (D) An enumeration and valuation of cri-
23 teria applicable to the determination of a suit-
24 able location for such a functional center.

1 (E) A description of the establishment and
2 operational costs of such a functional center, in-
3 cluding for—

4 (i) military construction for required
5 facilities;

6 (ii) facility renovation;

7 (iii) personnel costs for faculty and
8 staff; and

9 (iv) other costs the Secretary of De-
10 fense considers appropriate.

11 (F) An evaluation of the existing infra-
12 structure, resources, and personnel available at
13 military installations and at universities and
14 other academic and research institutions that
15 could reduce the costs described in subpara-
16 graph (E).

17 (G) An examination of partnership oppor-
18 tunities with United States allies and partners
19 for potential collaboration and burden sharing.

20 (H) A description of potential courses and
21 programs that such a functional center could
22 carry out, including—

23 (i) core, specialized, and advanced
24 courses;

- 1 (ii) planning workshops and struc-
- 2 tured after-action reviews or debriefs;
- 3 (iii) seminars;
- 4 (iv) initiatives on executive develop-
- 5 ment, relationship building, partnership
- 6 outreach, and any other matter the Sec-
- 7 retary of Defense considers appropriate;
- 8 and
- 9 (v) focused academic research and
- 10 studies in support of Department prior-
- 11 ities.

12 (I) A description of any modification to
13 title 10, United States Code, or any other pro-
14 vision of law, necessary for the effective estab-
15 lishment and administration of such a func-
16 tional center.

17 (3) FORM.—The report required by paragraph
18 (1) shall be submitted in unclassified form, but may
19 include a classified annex.

20 (b) ESTABLISHMENT.—

21 (1) IN GENERAL.—Not earlier than 30 days
22 after the submittal of the report required by sub-
23 section (a), and subject to the availability of appro-
24 priated funds, the Secretary of Defense may estab-
25 lish and administer a Department of Defense Func-

1 tional Center for Security Studies in Irregular War-
2 fare.

3 (2) TREATMENT AS A REGIONAL CENTER FOR
4 SECURITY STUDIES.—A Department of Defense
5 Functional Center for Security Studies in Irregular
6 Warfare established under paragraph (1) shall be
7 operated and administered in the same manner as
8 the Department of Defense Regional Centers for Se-
9 curity Studies under section 342 of title 10, United
10 States Code, and in accordance with such regula-
11 tions as the Secretary of Defense may prescribe.

12 (3) LIMITATION.—No other institution or ele-
13 ment of the Department may be designated as a De-
14 partment of Defense functional center, except by an
15 Act of Congress.

16 (4) LOCATION.—The location of a Department
17 of Defense Functional Center for Security Studies in
18 Irregular Warfare established under paragraph (1)
19 shall be selected based on an objective, criteria-driv-
20 en administrative or competitive award process, in
21 accordance with which the merits of locating such
22 functional center in Tempe, Arizona, may be evalu-
23 ated together with other suitable locations.

1 **SEC. 1210. OPEN TECHNOLOGY FUND.**

2 (a) **SHORT TITLE.**—This section may be cited as the
3 “Open Technology Fund Authorization Act”.

4 (b) **FINDINGS.**—Congress finds the following:

5 (1) The political, economic, and social benefits
6 of the internet are important to advancing democ-
7 racy and freedom throughout the world.

8 (2) Authoritarian governments are investing bil-
9 lions of dollars each year to create, maintain, and
10 expand repressive internet censorship and surveil-
11 lance systems to limit free association, control access
12 to information, and prevent citizens from exercising
13 their rights to free speech.

14 (3) Over $\frac{2}{3}$ of the world’s population live in
15 countries in which the internet is restricted. Govern-
16 ments shut down the internet more than 200 times
17 every year.

18 (4) Internet censorship and surveillance tech-
19 nology is rapidly being exported around the world,
20 particularly by the Government of the People’s Re-
21 public of China, enabling widespread abuses by au-
22 thoritarian governments.

23 (c) **SENSE OF CONGRESS.**—It is the sense of Con-
24 gress that it is in the interest of the United States—

1 (1) to promote global internet freedom by coun-
 2 tering internet censorship and repressive surveil-
 3 lance;

4 (2) to protect the internet as a platform for—

5 (A) the free exchange of ideas;

6 (B) the promotion of human rights and de-
 7 mocracy; and

8 (C) the advancement of a free press; and

9 (3) to support efforts that prevent the delib-
 10 erate misuse of the internet to repress individuals
 11 from exercising their rights to free speech and asso-
 12 ciation, including countering the use of such tech-
 13 nologies by authoritarian regimes.

14 (d) ESTABLISHMENT OF THE OPEN TECHNOLOGY
 15 FUND.—

16 (1) IN GENERAL.—The United States Inter-
 17 national Broadcasting Act of 1994 (22 U.S.C. 6201
 18 et seq.) is amended by inserting after section 309
 19 the following:

20 **“SEC. 309A. OPEN TECHNOLOGY FUND.**

21 **“(a) AUTHORITY.—**

22 **“(1) ESTABLISHMENT.—**There is established a
 23 grantee entity, to be known as the ‘Open Technology
 24 Fund’, which shall carry out this section.

1 “(2) IN GENERAL.—Grants authorized under
2 section 305 shall be available to award annual
3 grants to the Open Technology fund for the purpose
4 of—

5 “(A) promoting, consistent with United
6 States law, unrestricted access to uncensored
7 sources of information via the internet; and

8 “(B) enabling journalists, including jour-
9 nalists employed by or affiliated with the Voice
10 of America, Radio Free Europe/Radio Liberty,
11 Radio Free Asia, the Middle East Broadcasting
12 Networks, the Office of Cuba Broadcasting, or
13 any entity funded by or partnering with the
14 United States Agency for Global Media to cre-
15 ate and disseminate news and information con-
16 sistent with the purposes, standards, and prin-
17 ciples specified in sections 302 and 303.

18 “(b) USE OF GRANT FUNDS.—The Open Technology
19 Fund shall use grant funds received pursuant to sub-
20 section (a)(2)—

21 “(1) to advance freedom of the press and unre-
22 stricted access to the internet in repressive environ-
23 ments overseas through technology development,
24 rather than through media messaging;

1 “(2) to research, develop, implement, and main-
2 tain—

3 “(A) technologies that circumvent tech-
4 niques used by authoritarian governments,
5 nonstate actors, and others to block or censor
6 access to the internet, including circumvention
7 tools that bypass internet blocking, filtering,
8 and other censorship techniques used to limit or
9 block legitimate access to content and informa-
10 tion; and

11 “(B) secure communication tools and other
12 forms of privacy and security technology that
13 facilitate the creation and distribution of news
14 and enable audiences to access media content
15 on censored websites;

16 “(3) to advance internet freedom by supporting
17 private and public sector research, development, im-
18 plementation, and maintenance of technologies that
19 provide secure and uncensored access to the internet
20 to counter attempts by authoritarian governments,
21 nonstate actors, and others to improperly restrict
22 freedom online;

23 “(4) to research and analyze emerging technical
24 threats and develop innovative solutions through col-
25 laboration with the private and public sectors to

1 maintain the technological advantage of the United
2 States Government over authoritarian governments,
3 nonstate actors, and others;

4 “(5) to develop, acquire, and distribute requisite
5 internet freedom technologies and techniques for the
6 United States Agency for Global Media, in accord-
7 ance with paragraph (2), and digital security inter-
8 ventions, to fully enable the creation and distribution
9 of digital content between and to all users and re-
10 gional audiences;

11 “(6) to prioritize programs for countries, the
12 governments of which restrict freedom of expression
13 on the internet, that are important to the national
14 interest of the United States in accordance with sec-
15 tion 7050(b)(2)(C) of the Department of State, For-
16 eign Operations, and Related Programs Appropria-
17 tions Act, 2020 (division G of Public Law 116–94);
18 and

19 “(7) to carry out any other effort consistent
20 with the purposes of this Act or press freedom over-
21 seas if requested or approved by the United States
22 Agency for Global Media.

23 “(c) METHODOLOGY.—In carrying out subsection
24 (b), the Open Technology Fund shall—

1 “(1)(A) support fully open-source tools, code,
2 and components, to the extent practicable, to ensure
3 such supported tools and technologies are as secure,
4 transparent, and accessible as possible; and

5 “(B) require that any such tools, components,
6 code, or technology supported by the Open Tech-
7 nology Fund remain fully open-source, to the extent
8 practicable;

9 “(2) support technologies that undergo com-
10 prehensive security audits to ensure that such tech-
11 nologies are secure and have not been compromised
12 in a manner detrimental to the interests of the
13 United States or to individuals or organizations ben-
14 efitting from programs supported by the Open Tech-
15 nology Fund;

16 “(3) review and periodically update, as nec-
17 essary, security auditing procedures used by the
18 Open Technology Fund to reflect current industry
19 security standards;

20 “(4) establish safeguards to mitigate the use of
21 such supported technologies for illicit purposes;

22 “(5) solicit project proposals through an open,
23 transparent, and competitive application process to
24 attract innovative applications and reduce barriers to
25 entry;

1 “(6)(A) seek input from technical, regional, and
2 subject matter experts from a wide range of relevant
3 disciplines; and

4 “(B) to review, provide feedback, and evaluate
5 proposals to ensure that the most competitive
6 projects are funded;

7 “(7) implement an independent review process,
8 through which proposals are reviewed by such ex-
9 perts to ensure the highest degree of technical re-
10 view and due diligence;

11 “(8) maximize cooperation with the public and
12 private sectors, foreign allies, and partner countries
13 to maximize efficiencies and eliminate duplication of
14 efforts; and

15 “(9) utilize any other methodology approved by
16 the United States Agency for Global Media in fur-
17 therance of the mission of the Open Technology
18 Fund.

19 “(d) GRANT AGREEMENT.—Any grant agreement
20 with, or grants made to, the Open Technology Fund under
21 this section shall be subject to the following limitations
22 and restrictions:

23 “(1) The headquarters of the Open Technology
24 Fund and its senior administrative and managerial
25 staff shall be located in a location which ensures

1 economy, operational effectiveness, and account-
2 ability to the United States Agency for Global
3 Media.

4 “(2) Grants awarded under this section shall be
5 made pursuant to a grant agreement requiring
6 that—

7 “(A) grant funds are only used only activi-
8 ties consistent with this section; and

9 “(B) failure to comply with such require-
10 ment shall result in termination of the grant
11 without further fiscal obligation to the United
12 States.

13 “(3) Each grant agreement under this section
14 shall require that each contract entered into by the
15 Open Technology Fund specify that all obligations
16 are assumed by the grantee and not by the United
17 States Government.

18 “(4) Each grant agreement under this section
19 shall require that any lease agreements entered into
20 by the Open Technology Fund shall be, to the max-
21 imum extent possible, assignable to the United
22 States Government.

23 “(5) Administrative and managerial costs for
24 operation of the Open Technology Fund—

25 “(A) should be kept to a minimum; and

1 “(B) to the maximum extent feasible,
2 should not exceed the costs that would have
3 been incurred if the Open Technology Fund had
4 been operated as a Federal entity rather than
5 as a grantee.

6 “(6) Grant funds may not be used for any ac-
7 tivity whose purpose is influencing the passage or
8 defeat of legislation considered by Congress.

9 “(e) RELATIONSHIP TO THE UNITED STATES AGEN-
10 CY FOR GLOBAL MEDIA.—

11 “(1) IN GENERAL.—The Open Technology
12 Fund shall be subject to the oversight and govern-
13 ance by the United States Agency for Global Media
14 in accordance with section 305.

15 “(2) ASSISTANCE.—The United States Agency
16 for Global Media, its broadcast entities, and the
17 Open Technology Fund should render such assist-
18 ance to each other as may be necessary to carry out
19 the purposes of this section or any other provision
20 under this Act.

21 “(3) NOT A FEDERAL AGENCY OR INSTRUMEN-
22 TALITY.—Nothing in this section may be construed
23 to make the Open Technology Fund an agency or in-
24 strumentality of the Federal Government.

1 “(4) DETAILEES.—Employees of a grantee of
2 the United States Agency for Global Media may be
3 detailed to the Agency, in accordance with the Inter-
4 governmental Personnel Act of 1970 (42 U.S.C.
5 4701 et seq.) and Federal employees may be detailed
6 to a grantee of the United States Agency for Global
7 Media, in accordance with such Act.

8 “(f) RELATIONSHIP TO OTHER UNITED STATES
9 GOVERNMENT-FUNDED INTERNET FREEDOM PRO-
10 GRAMS.—The United States Agency for Global Media
11 shall ensure that internet freedom research and develop-
12 ment projects of the Open Technology Fund are
13 deconflicted with internet freedom programs of the De-
14 partment of State and other relevant United States Gov-
15 ernment departments. Agencies should still share informa-
16 tion and best practices relating to the implementation of
17 subsections (b) and (c).

18 “(g) REPORTING REQUIREMENTS.—

19 “(1) ANNUAL REPORT.—The Open Technology
20 Fund shall highlight, in its annual report, internet
21 freedom activities, including a comprehensive assess-
22 ment of the Open Technology Fund’s activities relat-
23 ing to the implementation of subsections (b) and (c),
24 which shall include—

1 “(A) an assessment of the current state of
2 global internet freedom, including—

3 “(i) trends in censorship and surveil-
4 lance technologies and internet shutdowns;
5 and

6 “(ii) the threats such pose to journal-
7 ists, citizens, and human rights and civil
8 society organizations; and

9 “(B) a description of the technology
10 projects supported by the Open Technology
11 Fund and the associated impact of such
12 projects in the most recently completed year, in-
13 cluding—

14 “(i) the countries and regions in
15 which such technologies were deployed;

16 “(ii) any associated metrics indicating
17 audience usage of such technologies; and

18 “(iii) future-year technology project
19 initiatives.

20 “(2) ASSESSMENT OF THE EFFECTIVENESS OF
21 THE OPEN TECHNOLOGY FUND.—Not later than 2
22 years after the date of the enactment of this section,
23 the Inspector General of the Department of State
24 and the Foreign Service shall submit a report to the

1 appropriate congressional committees that indi-
2 cates—

3 “(A) whether the Open Technology Fund
4 is—

5 “(i) technically sound;

6 “(ii) cost effective; and

7 “(iii) satisfying the requirements
8 under this section; and

9 “(B) the extent to which the interests of
10 the United States are being served by maintain-
11 ing the work of the Open Technology Fund.

12 “(h) AUDIT AUTHORITIES.—

13 “(1) IN GENERAL.—Financial transactions of
14 the Open Technology Fund that relate to functions
15 carried out under this section may be audited by the
16 Government Accountability Office in accordance with
17 such principles and procedures and under such rules
18 and regulations as may be prescribed by the Comp-
19 troller General of the United States. Any such audit
20 shall be conducted at the place or places at which
21 accounts of the Open Technology Fund are normally
22 kept.

23 “(2) ACCESS BY GAO.—The Government Ac-
24 countability Office shall have access to all books, ac-
25 counts, records, reports, files, papers, and property

1 belonging to or in use by the Open Technology Fund
2 pertaining to financial transactions as may be nec-
3 essary to facilitate an audit. The Government Ac-
4 countability Office shall be afforded full facilities for
5 verifying transactions with any assets held by de-
6 positories, fiscal agents, and custodians. All such
7 books, accounts, records, reports, files, papers, and
8 property of the Open Technology Fund shall remain
9 in the possession and custody of the Open Tech-
10 nology Fund.

11 “(3) EXERCISE OF AUTHORITIES.—Notwith-
12 standing any other provision of law, the Inspector
13 General of the Department of State and the Foreign
14 Service is authorized to exercise the authorities of
15 the Inspector General Act of 1978 with respect to
16 the Open Technology Fund.”.

17 (2) CONFORMING AMENDMENTS.—The United
18 States International Broadcasting Act of 1994 is
19 amended—

20 (A) in section 304(d) (22 U.S.C. 6203(d)),
21 by inserting “the Open Technology Fund,” be-
22 fore “the Middle East Broadcasting Networks”;

23 (B) in sections 305(a)(20) and 310(c) (22
24 U.S.C. 6204(a)(20) and 6209(c)), by inserting
25 “the Open Technology Fund,” before “or the

1 Middle East Broadcasting Networks” each
2 place such term appears; and

3 (C) in section 310 (22 U.S.C. 6209), by
4 inserting “the Open Technology Fund,” before
5 “and the Middle East Broadcasting Networks”
6 each place such term appears.

7 (3) AUTHORIZATION OF APPROPRIATIONS.—

8 There is authorized to be appropriated for the Open
9 Technology Fund, which shall be used to carry out
10 section 309A of the United States International
11 Broadcasting Act of 1994, as added by paragraph
12 (1)—

13 (A) \$20,000,000 for fiscal year 2021; and

14 (B) \$25,000,000 for fiscal year 2022.

15 (e) UNITED STATES ADVISORY COMMISSION ON PUB-
16 LIC DIPLOMACY.— Section 1334 of the Foreign Affairs
17 Reform and Restructuring Act of 1998 (22 U.S.C. 6553)
18 is amended by striking “October 1, 2020” and inserting
19 “October 1, 2025”.

1 **Subtitle B—Matters Relating to**
2 **Afghanistan and Pakistan**

3 **SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY**
4 **FOR REIMBURSEMENT OF CERTAIN COALI-**
5 **TION NATIONS FOR SUPPORT PROVIDED TO**
6 **UNITED STATES MILITARY OPERATIONS.**

7 (a) EXTENSION.—Subsection (a) of section 1233 of
8 the National Defense Authorization Act for Fiscal Year
9 2008 (Public Law 110–181; 122 Stat. 393), as most re-
10 cently amended by section 1217 of the National Defense
11 Authorization Act for Fiscal Year 2020 (Public Law 116–
12 92), is further amended by striking “beginning on October
13 1, 2019, and ending on December 31, 2020” and inserting
14 “beginning on October 1, 2020, and ending on December
15 31, 2021”.

16 (b) MODIFICATION TO LIMITATION.—Subsection
17 (d)(1) of such section is amended—

18 (1) by striking “beginning on October 1, 2019,
19 and ending on December 31, 2020” and inserting
20 “beginning on October 1, 2020, and ending on De-
21 cember 31, 2021”; and

22 (2) by striking “\$450,000,000” and inserting
23 “\$180,000,000”.

1 **SEC. 1212. EXTENSION AND MODIFICATION OF COM-**
2 **MANDERS' EMERGENCY RESPONSE PRO-**
3 **GRAM.**

4 Section 1201 of the National Defense Authorization
5 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
6 1619), as most recently amended by section 1208(a) of
7 the National Defense Authorization Act for Fiscal Year
8 2020 (Public Law 116–92), is further amended—

9 (1) in subsection (a)—

10 (A) by striking “December 31, 2020” and
11 inserting “December 31, 2021”; and

12 (B) by striking “\$2,500,000” and insert-
13 ing “\$2,000,000”;

14 (2) in subsection (b), by striking the subsection
15 designation and heading and all that follows through
16 the period at the end of paragraph (1) and inserting
17 the following:

18 “(b) QUARTERLY REPORTS.—

19 “(1) IN GENERAL.—Beginning in fiscal year
20 2021, not later than 45 days after the end of each
21 quarter fiscal year, the Secretary of Defense shall
22 submit to the congressional defense committees a re-
23 port regarding the source of funds and the allocation
24 and use of funds during that quarter fiscal year that
25 were made available pursuant to the authority pro-
26 vided in this section or under any other provision of

1 law for the purposes of the program under sub-
2 section (a).”; and

3 (3) in subsection (f), by striking “December 31,
4 2020” and inserting “December 31, 2021”.

5 **SEC. 1213. EXTENSION AND MODIFICATION OF SUPPORT**
6 **FOR RECONCILIATION ACTIVITIES LED BY**
7 **THE GOVERNMENT OF AFGHANISTAN.**

8 (a) **MODIFICATION OF AUTHORITY TO PROVIDE COV-**
9 **ERED SUPPORT.**—Subsection (a) of section 1218 of the
10 National Defense Authorization Act for Fiscal Year 2020
11 (Public Law 116–92) is amended—

12 (1) by striking the subsection designation and
13 heading and all that follows through “The Secretary
14 of Defense” and inserting the following:

15 “(a) **AUTHORITY TO PROVIDE COVERED SUPPORT.**—

16 “(1) **IN GENERAL.**—Subject to paragraph (2),
17 the Secretary of Defense”; and

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

20 “(2) **LIMITATION ON USE OF FUNDS.**—Amounts
21 authorized to be appropriated or otherwise made
22 available for the Department of Defense by this Act
23 may not be obligated or expended to provide covered
24 support until the date on which the Secretary of De-

1 fense submits to the appropriate committees of Con-
2 gress the report required by subsection (b).”.

3 (b) PARTICIPATION IN RECONCILIATION ACTIVI-
4 TIES.—Such section is further amended—

5 (1) by redesignating subsections (i) through (k)
6 as subsections (j) through (l), respectively;

7 (2) by inserting after subsection (h) the fol-
8 lowing new subsection (i):

9 “(i) PARTICIPATION IN RECONCILIATION ACTIVI-
10 TIES.—Covered support may only be used to support a
11 reconciliation activity that—

12 “(1) includes the participation of members of
13 the Government of Afghanistan; and

14 “(2) does not restrict the participation of
15 women.”.

16 (c) EXTENSION.—Subsection (k) of such section, as
17 so redesignated, is amended by striking “December 31,
18 2020” and inserting “December 31, 2021”.

19 (d) EXCLUSIONS FROM COVERED SUPPORT.—Such
20 section is further amended in paragraph (2)(B) of sub-
21 section (l), as so redesignated—

22 (1) in clause (ii), by inserting “, reimbursement
23 for travel or lodging, and stipends or per diem pay-
24 ments” before the period at the end; and

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

3 “(iii) Any activity involving one or
4 more members of an organization des-
5 ignated as a foreign terrorist organization
6 pursuant to section 219 of the Immigra-
7 tion and Nationality Act (8 U.S.C. 1189)
8 or an individual designated as a specially
9 designated global terrorist pursuant to Ex-
10 ecutive Order 13224 (50 U.S.C. 1701
11 note; relating to blocking property and pro-
12 hibiting transactions with persons who
13 commit, threaten to commit, or support
14 terrorism).”.

15 **SEC. 1214. SENSE OF SENATE ON SPECIAL IMMIGRANT VISA**
16 **PROGRAM FOR AFGHAN ALLIES.**

17 It is the sense of the Senate that—

18 (1) the special immigrant visa program for Af-
19 ghan allies is critical to the mission in Afghanistan
20 and the long-term interests of the United States;

21 (2) maintaining a robust special immigrant visa
22 program for Afghan allies is necessary to support
23 United States Government personnel in Afghanistan
24 who need translation, interpretation, security, and
25 other services;

1 (3) Afghan allies routinely risk their lives to as-
2 sist United States military and diplomatic personnel;

3 (4) honoring the commitments made to Afghan
4 allies with respect to the special immigrant visa pro-
5 gram is essential to ensuring—

6 (A) the continued service and safety of
7 such allies; and

8 (B) the willingness of other like-minded in-
9 dividuals to provide similar services in any fu-
10 ture contingency;

11 (5) the Afghan Allies Protection Act of 2009 (8
12 U.S.C. 1101 note) states that all Government-con-
13 trolled processing of applications for special immi-
14 grant visas under that Act “should be completed not
15 later than 9 months after the date on which an eligi-
16 ble alien submits all required materials to complete
17 an application for such visa”;

18 (6) any backlog in processing special immigrant
19 visa applications should be addressed as quickly as
20 possible so as to honor the United States commit-
21 ment to Afghan allies as soon as possible;

22 (7) failure to process such applications in an
23 expeditious manner puts lives at risk and jeopardizes
24 a critical element of support to United States oper-
25 ations in Afghanistan; and

1 (8) to prevent harm to the operations of the
2 United States Government in Afghanistan, addi-
3 tional visas should be made available to principal
4 aliens who are eligible for special immigrant status
5 under that Act.

6 **SEC. 1215. SENSE OF SENATE AND REPORT ON UNITED**
7 **STATES PRESENCE IN AFGHANISTAN.**

8 (a) SENSE OF THE SENATE.—It is the sense of the
9 Senate that—

10 (1) the United States and our coalition partners
11 have made progress in the fight against al-Qaeda
12 and ISIS in Afghanistan; however, both groups—

13 (A) maintain an ability to operate in Af-
14 ghanistan;

15 (B) seek to undermine stability in the re-
16 gion; and

17 (C) threaten the security of Afghanistan,
18 the United States, and the allies of the United
19 States;

20 (2) the South Asia strategy correctly empha-
21 sizes the importance of a conditions-based United
22 States presence in Afghanistan; therefore, any deci-
23 sion to withdraw the Armed Forces of the United
24 States from Afghanistan should be done in an or-
25 derly manner in response to conditions on the

1 ground, and in coordination with the Government of
2 Afghanistan and United States allies and partners in
3 the Resolute Support mission, rather than arbitrary
4 timelines;

5 (3) a precipitous withdrawal of the Armed
6 Forces of the United States and United States diplo-
7 matic and intelligence personnel from Afghanistan
8 without effective, countervailing efforts to secure
9 gains in Afghanistan may allow violent extremist
10 groups to regenerate, threatening the security of the
11 Afghan people and creating a security vacuum that
12 could destabilize the region and provide ample safe
13 haven for extremist groups seeking to conduct exter-
14 nal attacks;

15 (4) ongoing diplomatic efforts to secure a
16 peaceful, negotiated solution to the conflict in Af-
17 ghanistan are the best path forward for establishing
18 long-term stability and eliminating the threat posed
19 by extremist groups in Afghanistan;

20 (5) the United States supports international
21 diplomatic efforts to facilitate peaceful, negotiated
22 resolution to the ongoing conflict in Afghanistan on
23 terms that respect the rights of innocent civilians
24 and deny safe havens to terrorists; and

1 (6) as part of such diplomatic efforts, and as a
2 condition to be met prior to withdrawal, the United
3 States should seek to secure the release of any
4 United States citizens being held against their will
5 in Afghanistan.

6 (b) REPORT.—

7 (1) IN GENERAL.—Not later than September 1,
8 2020, the Secretary of Defense shall submit to the
9 Committees on Armed Services of the Senate and
10 the House of Representative a report that includes—

11 (A) an assessment of—

12 (i) the external threat posed by ex-
13 tremist groups operating in Afghanistan to
14 the United States homeland and the home-
15 lands of United States allies;

16 (ii) the impact of cessation of United
17 States counterterrorism activities on the
18 size, strength, and external aims of such
19 groups; and

20 (iii) the international financial sup-
21 port the Afghan National Defense and Se-
22 curity Forces requires in order to maintain
23 current operational capabilities, including
24 force cohesion and combat effectiveness;

1 (B) a plan for the orderly transition of all
2 security-related tasks currently undertaken by
3 the Armed Forces of the United States in sup-
4 port of the Afghan National Defense and Secu-
5 rity Forces to Afghanistan, including—

6 (i) precision targeting of Afghanistan-
7 based terrorists;

8 (ii) combat-enabler support, such as
9 artillery and aviation assets; and

10 (iii) noncombat-enabler support, such
11 as intelligence, surveillance and reconnais-
12 sance, medical evacuation, and contractor
13 logistic support; and

14 (C) an update on the status of any United
15 States citizens detained in Afghanistan, and an
16 overview of Administration efforts to secure
17 their release.

18 (2) FORM.—The report required by paragraph
19 (1) shall be submitted in unclassified form but may
20 contain a classified annex.

1 **Subtitle C—Matters Relating to**
2 **Syria, Iraq, and Iran**

3 **SEC. 1221. EXTENSION OF AUTHORITY AND LIMITATION ON**
4 **USE OF FUNDS TO PROVIDE ASSISTANCE TO**
5 **COUNTER THE ISLAMIC STATE OF IRAQ AND**
6 **SYRIA.**

7 (a) EXTENSION.—Subsection (a) of section 1236 of
8 the Carl Levin and Howard P. “Buck” McKeon National
9 Defense Authorization Act for Fiscal Year 2015 (Public
10 Law 113–291; 128 Stat. 3558), as most recently amended
11 by section 1233(a) of the John S. McCain National De-
12 fense Authorization Act for Fiscal Year 2019 (Public Law
13 115–232; 132 Stat. 2039), is further amended, in the
14 matter preceding paragraph (1), by striking “December
15 31, 2020” and inserting “December 31, 2021”.

16 (b) FUNDING.—Subsection (g) of such section 1236,
17 as most recently amended by section 1221 of the National
18 Defense Authorization Act for Fiscal year 2020 (Public
19 Law 116–92), is amended to read as follows:

20 “(g) FUNDING.—

21 “(1) IN GENERAL.—Of the amounts authorized
22 to be appropriated for the Department of Defense
23 for Overseas Contingency Operations for fiscal year
24 2021, not more than \$322,500,000 may be used to
25 carry out this section.

1 “(2) LIMITATION AND REPORT.—

2 “(A) IN GENERAL.—Of the funds author-
3 ized to be appropriated under paragraph (1),
4 not more than 25 percent may be obligated or
5 expended until the date on which the Secretary
6 of Defense submits to the appropriate congres-
7 sional committees a report that includes the fol-
8 lowing:

9 “(i) An explanation of the manner in
10 which such support aligns with the objec-
11 tives contained in the national defense
12 strategy.

13 “(ii) A description of the manner in
14 which such support is synchronized with
15 larger whole-of-government funding efforts
16 to strengthen the bilateral relationship be-
17 tween the United States and Iraq.

18 “(iii) A description of—

19 “(I) actions taken by the Govern-
20 ment of Iraq to assert control over
21 popular mobilization forces; and

22 “(II) the role of popular mobili-
23 zation forces in the national security
24 apparatus of Iraq.

1 “(iv) A plan to fully transition secu-
2 rity assistance for the Iraqi Security
3 Forces from the Counter-Islamic State of
4 Iraq and Syria Train and Equip Fund to
5 standing security assistance authorities
6 managed by the Defense Security Coopera-
7 tion Agency and the Department of State
8 by not later than September 30, 2022.

9 “(B) FORM.—The report under subpara-
10 graph (A) shall be submitted in unclassified
11 form but may include a classified annex.”.

12 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
13 **TO PROVIDE ASSISTANCE TO VETTED SYRIAN**
14 **GROUPS AND INDIVIDUALS.**

15 Section 1209 of the Carl Levin and Howard P.
16 “Buck” McKeon National Defense Authorization Act for
17 Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3541),
18 as most recently amended by section 1222(a) of the Na-
19 tional Defense Authorization Act for Fiscal Year 2020
20 (Public Law 116–92), is further amended—

21 (1) in the section heading, by striking “**THE**
22 **VETTED SYRIAN OPPOSITION**” and inserting
23 “**VETTED SYRIAN GROUPS AND INDIVIDUALS**”;

1 (2) in subsection (a), in the matter preceding
2 paragraph (1), by striking “December 31, 2020”
3 and inserting “December 31, 2021”;

4 (3) by striking subsections (b) and (c);

5 (4) by redesignating subsections (d) through
6 (m) as subsections (b) through (k), respectively; and

7 (5) in paragraph (2) of subsection (b), as so re-
8 designated—

9 (A) in subparagraph (J)(iii), by redesign-
10 ating subclause (I) as subparagraph (M) and
11 moving the subparagraph four ems to the left;

12 (B) by redesignating subparagraphs (A)
13 through (F) and (G) through (J) as subpara-
14 graphs (B) through (G) and (I) through (L),
15 respectively;

16 (C) by inserting before subparagraph (B),
17 as so redesignated, the following new subpara-
18 graph (A):

19 “(A) An accounting of the obligation and
20 expenditure of authorized funding for the cur-
21 rent and preceding fiscal year.”;

22 (D) by inserting after subparagraph (G),
23 as so redesignated, the following new subpara-
24 graph (H):

1 “(H) The mechanisms and procedures that
2 will be used to monitor and report to the appro-
3 priate congressional committees and leadership
4 of the Senate and House of Representatives any
5 unauthorized end-use of provided training and
6 equipment or other violations of relevant law by
7 appropriately vetted recipients.”; and

8 (E) by adding at the end the following new
9 subparagraph:

10 “(N) Any other matter the Secretary con-
11 siders appropriate.”.

12 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
13 **TO SUPPORT OPERATIONS AND ACTIVITIES**
14 **OF THE OFFICE OF SECURITY COOPERATION**
15 **IN IRAQ.**

16 (a) **LIMITATION ON AMOUNT.**—Subsection (c) of sec-
17 tion 1215 of the National Defense Authorization Act for
18 Fiscal Year 2015 (10 U.S.C. 113 note) is amended—

19 (1) by striking “fiscal year 2020” and inserting
20 “fiscal year 2021”; and

21 (2) by striking “\$30,000,000” and inserting
22 “\$15,000,000”.

23 (b) **SOURCE OF FUNDS.**—Subsection (d) of such sec-
24 tion is amended by striking “fiscal year 2020” and insert-
25 ing “fiscal year 2021”.

1 (c) ADDITIONAL AUTHORITY.—Subsection (f) of such
2 section is amended—

3 (1) in paragraph (1), in the matter preceding
4 subparagraph (A), by striking “fiscal year 2019”
5 and inserting “fiscal year 2021”; and

6 (2) in paragraph (3), by striking “the National
7 Defense Authorization Act for Fiscal Year 2020”
8 and inserting “the National Defense Authorization
9 Act for Fiscal Year 2021”.

10 (d) REPORT.—Subsection (g)(1) of such section is
11 amended by striking “September 30, 2020” and inserting
12 “March 1, 2021”.

13 (e) LIMITATION ON AVAILABILITY OF FUNDS.—Sub-
14 section (h) of such section is amended—

15 (1) in the matter preceding paragraph (1)—

16 (A) by striking “fiscal year 2020” and in-
17 serting “fiscal year 2021”; and

18 (B) by striking “\$20,000,000” and insert-
19 ing “\$10,000,000”;

20 (2) by striking paragraph (1);

21 (3) by redesignating paragraphs (2) and (3) as
22 paragraphs (1) and (2), respectively;

23 (4) in paragraph (1), as so redesignated, by
24 striking “The development of a staffing plan” and

1 inserting “A progress report with respect to the de-
2 velopment of a staffing plan”; and

3 (5) in paragraph (2), as so redesignated, by
4 striking “The initiation” and inserting “A progress
5 report with respect to the initiation”.

6 **Subtitle D—Matters Relating to Eu-**
7 **rope and the Russian Federa-**
8 **tion**

9 **SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-**
10 **OPERATION BETWEEN THE UNITED STATES**
11 **AND THE RUSSIAN FEDERATION.**

12 Section 1232(a) of the National Defense Authoriza-
13 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
14 Stat. 2488), as most recently amended by section 1231
15 of the National Defense Authorization Act for Fiscal Year
16 2020 (Public Law 116–92), is further amended in the
17 matter preceding paragraph (1), by striking “, 2019, or
18 2020” and inserting “2019, 2020, or 2021”.

19 **SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
20 **LATING TO SOVEREIGNTY OF THE RUSSIAN**
21 **FEDERATION OVER CRIMEA.**

22 (a) PROHIBITION.—None of the funds authorized to
23 be appropriated by this Act for fiscal year 2021 for the
24 Department of Defense may be obligated or expended to,
25 and the Department may not, implement any activity that

1 recognizes the sovereignty of the Russian Federation over
2 Crimea.

3 (b) WAIVER.—The Secretary of Defense, with the
4 concurrence of the Secretary of State, may waive the pro-
5 hibition under subsection (a) if the Secretary of Defense—

6 (1) determines that a waiver is in the national
7 security interest of the United States; and

8 (2) on the date on which the waiver is invoked,
9 submits a notification of the waiver and a justifica-
10 tion of the reason for seeking the waiver to—

11 (A) the Committee on Armed Services and
12 the Committee on Foreign Relations of the Sen-
13 ate; and

14 (B) the Committee on Armed Services and
15 the Committee on Foreign Affairs of the House
16 of Representatives.

17 **SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SE-**
18 **CURITY ASSISTANCE INITIATIVE.**

19 Section 1250 of the National Defense Authorization
20 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
21 1068), as most recently amended by section 1244 of the
22 National Defense Authorization Act for Fiscal Year 2020
23 (Public Law 116–92), is further amended—

24 (1) in subsection (c)—

25 (A) in paragraph (2)(B)—

1 (i) in clause (iv), by striking “; and”
2 and inserting a semicolon;

3 (ii) in clause (v), by striking the pe-
4 riod at the end and inserting a semicolon;
5 and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(vi) transformation of command and
9 control structures and roles in line with
10 North Atlantic Treaty Organization prin-
11 ciples; and

12 “(vii) improvement of human re-
13 sources management, including to support
14 career management reforms, enhanced so-
15 cial support to military personnel and their
16 families, and professional military edu-
17 cation systems.”; and

18 (B) by amending paragraph (5) to read as
19 follows:

20 “(5) LETHAL ASSISTANCE.—Of the funds avail-
21 able for fiscal year 2021 pursuant to subsection
22 (f)(6), \$125,000,000 shall be available only for le-
23 thal assistance described in paragraphs (2), (3),
24 (11), (12), (13), and (14) of subsection (b).”;

1 (2) in subsection (f), by adding at the end the
2 following new paragraph:

3 “(6) For fiscal year 2021, \$250,000,000.”; and

4 (3) in subsection (h), by striking “December
5 31, 2022” and inserting “December 31, 2024”.

6 **SEC. 1234. REPORT ON CAPABILITY AND CAPACITY RE-**
7 **QUIREMENTS OF MILITARY FORCES OF**
8 **UKRAINE AND RESOURCE PLAN FOR SECU-**
9 **RITY ASSISTANCE.**

10 (a) REPORT.—Not later than 180 days after the date
11 of the enactment of this Act, the Secretary of Defense and
12 the Secretary of State shall jointly submit to the appro-
13 priate committees of Congress a report on the capability
14 and capacity requirements of the military forces of
15 Ukraine, which shall include the following:

16 (1) An analysis of the capability gaps and ca-
17 pacity shortfalls of the military forces of Ukraine
18 that includes—

19 (A) an assessment of the requirements of
20 the navy of Ukraine to accomplish its assigned
21 missions; and

22 (B) an assessment of the requirements of
23 the air force of Ukraine to accomplish its as-
24 signed missions.

1 (2) An assessment of the relative priority as-
2 signed by the Government of Ukraine to addressing
3 such capability gaps and capacity shortfalls.

4 (3) An assessment of the capability gaps and
5 capacity shortfalls that—

6 (A) could be addressed in a sufficient and
7 timely manner by unilateral efforts of the Gov-
8 ernment of Ukraine; and

9 (B) are unlikely to be addressed in a suffi-
10 cient and timely manner solely through unilat-
11 eral efforts.

12 (4) An assessment of the capability gaps and
13 capacity shortfalls described in paragraph (3)(B)
14 that could be addressed in a sufficient and timely
15 manner by—

16 (A) the Ukraine Security Assistance Initia-
17 tive of the Department of Defense;

18 (B) Department of Defense security assist-
19 ance authorized by section 333 of title 10,
20 United States Code;

21 (C) the Foreign Military Financing and
22 Foreign Military Sales programs of the Depart-
23 ment of State; or

24 (D) the provision of excess defense articles.

1 (5) An assessment of the human resources re-
2 quirements of the Office of Defense Cooperation at
3 the United States Embassy in Kyiv and any gaps in
4 the capacity of such Office of Defense Cooperation
5 to provide security assistance to Ukraine.

6 (6) Any recommendations the Secretary of De-
7 fense and the Secretary of State consider appro-
8 priate concerning the coordination of security assist-
9 ance efforts of the Department of Defense and the
10 Department of State with respect to Ukraine.

11 (b) RESOURCE PLAN.—Not later than February 15,
12 2022, the Secretary of Defense and the Secretary of State
13 shall jointly submit to the appropriate committees of Con-
14 gress a resource plan for United States security assistance
15 with respect to Ukraine, which shall include the following:

16 (1) A plan to resource the following initiatives
17 and programs with respect to Ukraine in fiscal year
18 2023 and the four succeeding fiscal years to meet
19 the most critical capability gaps and capacity short-
20 falls of the military forces of Ukraine:

21 (A) The Ukraine Security Assistance Ini-
22 tiative of the Department of Defense.

23 (B) Department of Defense security assist-
24 ance authorized by section 333 of title 10,
25 United States Code.

1 (C) The Foreign Military Financing and
2 Foreign Military Sales programs of the Depart-
3 ment of State.

4 (D) The provision of excess defense arti-
5 cles.

6 (2) With respect to the navy of Ukraine, the
7 following:

8 (A) A capability development plan, with
9 milestones, detailing the manner in which the
10 United States will assist the Government of
11 Ukraine in meeting the requirements referred
12 to in subsection (a)(1)(A).

13 (B) A plan for United States cooperation
14 with third countries and international organiza-
15 tions that have the resources and ability to pro-
16 vide immediate assistance to the navy of
17 Ukraine while maintaining interoperability with
18 United States platforms to the extent feasible.

19 (C) A plan to prioritize the provision of ex-
20 cess defense articles for the navy of Ukraine to
21 the extent practicable during fiscal year 2023
22 and the four succeeding fiscal years.

23 (D) An assessment of the manner in which
24 United States security assistance to the navy of

1 Ukraine is in the national security interests of
2 the United States.

3 (3) With respect to the air force of Ukraine, the
4 following:

5 (A) A capability development plan, with
6 milestones, detailing the manner in which the
7 United States will assist the Government of
8 Ukraine in meeting the requirements referred
9 to in subsection (a)(1)(B).

10 (B) A plan for United States cooperation
11 with third countries and international organiza-
12 tions that have the resources and ability to pro-
13 vide immediate assistance to the air force of
14 Ukraine while maintaining interoperability with
15 United States platforms to the extent feasible.

16 (C) A plan to prioritize the provision of ex-
17 cess defense articles for the air force of Ukraine
18 to the extent practicable during fiscal year 2023
19 and the four succeeding fiscal years.

20 (D) An assessment of the manner in which
21 United States security assistance to the air
22 force of Ukraine is in the national security in-
23 terests of the United States.

24 (4) An assessment of progress on defense insti-
25 tutional reforms in Ukraine, including with respect

1 to the navy and air force of Ukraine, during fiscal
2 year 2023 and the four succeeding fiscal years that
3 will be essential for—

4 (A) enabling effective use and sustainment
5 of capabilities developed under security assist-
6 ance authorities described in this section;

7 (B) enhancing the defense of the sov-
8 ereignty and territorial integrity of Ukraine;

9 (C) achieving the stated goal of the Gov-
10 ernment of Ukraine of meeting North Atlantic
11 Treaty Organization standards; and

12 (D) allowing Ukraine to achieve its full po-
13 tential as a strategic partner of the United
14 States.

15 (c) FORM.—The report required by subsection (a)
16 and the resource plan required by subsection (b) shall each
17 be submitted in a classified form with an unclassified sum-
18 mary.

19 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
20 FINED.—In this section, the term “appropriate commit-
21 tees of Congress” means—

22 (1) the Committee on Armed Services, the
23 Committee on Foreign Relations, and the Committee
24 on Appropriations of the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Affairs, and the Committee
3 on Appropriations of the House of Representatives.

4 **SEC. 1235. SENSE OF SENATE ON NORTH ATLANTIC TREATY**
5 **ORGANIZATION ENHANCED OPPORTUNITIES**
6 **PARTNER STATUS FOR UKRAINE.**

7 It is the sense of the Senate that—

8 (1) the United States should support the des-
9 ignation of Ukraine as an enhanced opportunities
10 partner as part of the Partnership Interoperability
11 Initiative of the North Atlantic Treaty Organization;

12 (2) the participation of Ukraine in the en-
13 hanced opportunities partner program is in the
14 shared security interests of Ukraine, the United
15 States, and the North Atlantic Treaty Organization
16 alliance;

17 (3) the unique experience, capabilities, and
18 technical expertise of Ukraine, especially with re-
19 spect to hybrid warfare, cybersecurity, and foreign
20 disinformation, would enable Ukraine to make a
21 positive contribution to the North Atlantic Treaty
22 Organization alliance through participation in the
23 enhanced opportunities partner program;

24 (4) while not a replacement for North Atlantic
25 Treaty Organization membership, participation in

1 the enhanced opportunities partner program would
2 have significant benefits for the security of Ukraine,
3 including—

4 (A) more regular consultations on security
5 matters;

6 (B) enhanced access to interoperability
7 programs and exercises;

8 (C) expanded information sharing; and

9 (D) improved coordination of crisis pre-
10 paredness and response; and

11 (5) progress on defense institutional reforms in
12 Ukraine, including defense institutional reforms in-
13 tended to align the military forces of Ukraine with
14 North Atlantic Treaty Organization standards, re-
15 mains essential for—

16 (A) a more effective defense of the sov-
17 ereignty and territorial integrity of Ukraine;

18 (B) allowing Ukraine to achieve its full po-
19 tential as a strategic partner of the United
20 States; and

21 (C) increased cooperation between Ukraine
22 and the North Atlantic Treaty Organization.

1 **SEC. 1236. EXTENSION OF AUTHORITY FOR TRAINING FOR**
2 **EASTERN EUROPEAN NATIONAL SECURITY**
3 **FORCES IN THE COURSE OF MULTILATERAL**
4 **EXERCISES.**

5 Subsection (h) of section 1251 of the National De-
6 fense Authorization Act for Fiscal Year 2016 (10 U.S.C.
7 333 note), as most recently amended by section 1247 of
8 the National Defense Authorization Act for Fiscal Year
9 2020 (Public Law 116–92) is further amended—

10 (1) in the first sentence, by striking “December
11 31, 2021” and inserting “December 31, 2023”; and

12 (2) in the second sentence, by striking “the pe-
13 riod beginning on October 1, 2015, and ending on
14 December 31, 2021” and inserting “the period be-
15 ginning on October 1, 2015, and ending on Decem-
16 ber 31, 2023”.

17 **SEC. 1237. SENSE OF SENATE ON KOSOVO AND THE ROLE**
18 **OF THE KOSOVO FORCE OF THE NORTH AT-**
19 **LANTIC TREATY ORGANIZATION.**

20 It is the sense of the Senate that—

21 (1) normalization of relations between Kosovo
22 and Serbia is in the interest of both countries and
23 would enhance security and stability in the Western
24 Balkans;

25 (2) the United States should continue to sup-
26 port the diplomatic efforts of Kosovo and Serbia to

1 reach a historic agreement to normalize relations be-
2 tween the two countries;

3 (3) mutual recognition should be a central ele-
4 ment of normalization of relations between Kosovo
5 and Serbia;

6 (4) both Kosovo and Serbia should refrain from
7 actions that would make an agreement more difficult
8 to achieve;

9 (5) the Kosovo Force of the North Atlantic
10 Treaty Organization continues to play an indispen-
11 sable role in maintaining security and stability,
12 which are the essential predicates for the success of
13 the diplomatic efforts of Kosovo and Serbia to
14 achieve normalization of relations;

15 (6) the participation of the United States
16 Armed Forces in the Kosovo Force is foundational
17 to the credibility and success of mission of the
18 Kosovo Force;

19 (7) with the North Atlantic Treaty Organiza-
20 tion allies and other European partners contributing
21 over 80 percent of the troops for the mission, the
22 Kosovo Force represents a positive example of bur-
23 den sharing;

24 (8) together with the allies and partners of the
25 United States, the United States should—

1 (A) maintain its commitment to the
2 Kosovo Force; and

3 (B) take all appropriate steps to ensure
4 that the Kosovo Force has the necessary per-
5 sonnel, capabilities, and resources to perform
6 its critical mission; and

7 (9) the United States should continue to sup-
8 port the gradual transition of the Kosovo Security
9 Force to a multi-ethnic army for the Republic of
10 Kosovo that is interoperable with North Atlantic
11 Treaty Organization members through an inclusive
12 and transparent process that—

13 (A) respects the rights and concerns of all
14 citizens of Kosovo;

15 (B) promotes regional security and sta-
16 bility; and

17 (C) supports the aspirations of Kosovo for
18 eventual full membership in the North Atlantic
19 Treaty Organization.

20 **SEC. 1238. SENSE OF SENATE ON STRATEGIC COMPETITION**
21 **WITH THE RUSSIAN FEDERATION AND RE-**
22 **LATED ACTIVITIES OF THE DEPARTMENT OF**
23 **DEFENSE.**

24 It is the sense of the Senate that—

1 (1) the 2018 National Defense Strategy affirms
2 the re-emergence of long-term strategic competition
3 with the Russian Federation as a principal priority
4 for the Department of Defense that requires sus-
5 tained investment due to the magnitude of the
6 threat posed to United States security, prosperity,
7 and alliances and partnerships;

8 (2) given the continued military modernization
9 of the Russian Federation, including the develop-
10 ment of long-range strike systems and other ad-
11 vanced capabilities, the United States should
12 prioritize efforts within the North Atlantic Treaty
13 Organization to implement timely measures to en-
14 sure that the deterrence and defense posture of the
15 North Atlantic Treaty Organization remains credible
16 and effective;

17 (3) the United States should reaffirm support
18 for the open-door policy of the North Atlantic Trea-
19 ty Organization;

20 (4) to enhance deterrence against aggression by
21 the Russian Federation, the Department of Defense
22 should—

23 (A) continue—

24 (i) to prioritize funding for the Euro-
25 pean Deterrence Initiative to address capa-

1 bility gaps, capacity shortfalls, and infra-
2 structure requirements of the Joint Force
3 in Europe;

4 (ii) to increase pre-positioned stocks
5 of equipment in Europe; and

6 (iii) rotational deployments of United
7 States forces to Romania and Bulgaria
8 while pursuing training opportunities at
9 military locations such as Camp Mihail
10 Kogalniceanu in Romania and Novo Selo
11 Training Area in Bulgaria;

12 (B) increase—

13 (i) focus and resources to address the
14 changing military balance in the Black Sea
15 region;

16 (ii) the frequency, scale, and scope of
17 North Atlantic Treaty Organization and
18 other multilateral exercises in the Black
19 Sea region, including with the participation
20 of Ukraine and Georgia; and

21 (iii) presence and activities in the Arc-
22 tic, including special operations training
23 and naval operations and training;

24 (C) maintain robust naval presence at
25 Souda Bay, Greece, and pursue opportunities

1 for increased United States presence at other
2 locations in Greece;

3 (D) enhance military-to-military engage-
4 ment among Western Balkan countries to pro-
5 mote interoperability with the North Atlantic
6 Treaty Organization and regional security co-
7 operation; and

8 (E) expand information sharing, improve
9 planning coordination, and increase the fre-
10 quency, scale, and scope of exercises with Swe-
11 den and Finland to deepen interoperability; and

12 (5) to counter Russian Federation activities
13 short of armed conflict, the Department of Defense
14 should—

15 (A) integrate with United States inter-
16 agency efforts to employ all elements of na-
17 tional power to counter Russian Federation hy-
18 brid warfare; and

19 (B) bolster the capabilities of allies and
20 partners to counteract Russian Federation coer-
21 cion, including through expanded cyber coopera-
22 tion and enhanced resilience against
23 disinformation and malign influence.

1 **SEC. 1239. REPORT ON RUSSIAN FEDERATION SUPPORT OF**
2 **RACIALLY AND ETHNICALLY MOTIVATED VIO-**
3 **LENT EXTREMISTS.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of De-
6 fense, in consultation with the head of any other relevant
7 Federal department or agency, shall submit to the appro-
8 priate committees of Congress a report on Russian Fed-
9 eration support of racially and ethnically motivated violent
10 extremist groups and networks in Europe and the United
11 States, including such support provided by agents and en-
12 tities of the Russian Federation acting at the direction or
13 for the benefit of the Government of the Russian Federa-
14 tion.

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

17 (1) A list of each racially or ethnically moti-
18 vated violent extremist group or network in Europe
19 or the United States known to meet, or suspected of
20 meeting, the following criteria:

21 (A) The group or network has been tar-
22 geted or recruited by the security services of the
23 Russian Federation.

24 (B) The group or network has received
25 support (including training, disinformation or
26 amplification on social media platforms, finan-

1 cial support, and any other support) from the
2 Russian Federation or an agent or entity of the
3 Russian Federation acting at the direction or
4 for the benefit of the Government of the Rus-
5 sian Federation.

6 (C) The group—

7 (i) has leadership or a base of oper-
8 ations located within the Russian Federa-
9 tion; and

10 (ii) operates or maintains a chapter or
11 network of the group in Europe or the
12 United States.

13 (2) An assessment of the manner in which Rus-
14 sian Federation support of such groups or networks
15 aligns with the strategic interests of the Russian
16 Federation with respect to Europe and the United
17 States.

18 (3) An assessment of the role of such groups or
19 networks in—

20 (A) assisting Russian Federation-backed
21 separatist forces in the Donbas region of
22 Ukraine; or

23 (B) destabilizing security on the Crimean
24 peninsula of Ukraine.

1 (4) An assessment of the manner in which Rus-
2 sian Federation support of such groups or networks
3 has—

4 (A) contributed to the destabilization of se-
5 curity in the Balkans; and

6 (B) threatened the support for the North
7 Atlantic Treaty Organization in Southeastern
8 Europe.

9 (5) A description of any relationship or affili-
10 ation between such groups or networks and
11 ultranationalist or extremist political parties in Eu-
12 rope and the United States, and an assessment of
13 the manner in which the Russian Federation may
14 use such a relationship or affiliation to advance the
15 strategic interests of the Russian Federation.

16 (6) A description of the use by the Russian
17 Federation of social media platforms to support or
18 amplify the presence or messaging of such groups or
19 networks, and an assessment of any effort in Europe
20 or the United States to counter such support or am-
21 plification.

22 (7) A description of the legal and political im-
23 plications of the designation of the Russian Imperial
24 Movement, and members of the leadership of the
25 Russian Imperial Movement, as specially designated

1 global terrorists pursuant to Executive Order 13224
2 (50 U.S.C. 1701 note; relating to blocking property
3 and prohibiting transactions with persons who com-
4 mit, threaten to commit, or support terrorism) and
5 the response of the Government of the Russian Fed-
6 eration to such designation.

7 (8) Recommendations of the Secretary of De-
8 fense, consistent with a whole-of-government ap-
9 proach to countering Russian Federation informa-
10 tion warfare and malign influence operations—

11 (A) to mitigate the security threat posed
12 by such groups or networks; and

13 (B) to reduce or counter Russian Federa-
14 tion support for such groups or networks.

15 (c) FORM.—The report required by subsection (a)
16 shall be submitted in unclassified form but may include
17 a classified annex.

18 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
19 FINED.—In this section, the term “appropriate commit-
20 tees of Congress” means—

21 (1) the Committee on Armed Services, the
22 Committee on Foreign Relations, and the Select
23 Committee on Intelligence of the Senate; and

24 (2) the Committee on Armed Services, the
25 Committee on Foreign Affairs, and the Permanent

1 Select Committee on Intelligence of the House of
2 Representatives.

3 **SEC. 1240. PARTICIPATION IN EUROPEAN PROGRAM ON**
4 **MULTILATERAL EXCHANGE OF SURFACE**
5 **TRANSPORTATION SERVICES.**

6 (a) IN GENERAL.—Subchapter II of chapter 138 of
7 title 10, United States Code, is amended by inserting after
8 subsection (l) the following new section 2350m:

9 **“§ 2350m. Participation in European program on mul-**
10 **tilateral exchange of surface transpor-**
11 **tation services**

12 “(a) PARTICIPATION AUTHORIZED.—

13 “(1) IN GENERAL.—The Secretary of Defense,
14 with the concurrence of the Secretary of State, may
15 authorize the participation of the Department of De-
16 fense in the Surface Exchange of Services program
17 (in this section referred to as the ‘SEOS program’)
18 of the Movement Coordination Centre Europe.

19 “(2) SCOPE OF PARTICIPATION.—Participation
20 of the Department of Defense in the SEOS program
21 under paragraph (1) may include—

22 “(A) the reciprocal exchange or transfer of
23 surface transportation on a reimbursable basis
24 or by replacement-in-kind; and

1 “(B) the exchange of surface transpor-
2 tation services of an equal value.

3 “(b) WRITTEN ARRANGEMENT OR AGREEMENT.—

4 “(1) IN GENERAL.—Participation of the De-
5 partment of Defense in the SEOS program shall be
6 in accordance with a written arrangement or agree-
7 ment entered into by the Secretary of Defense, with
8 the concurrence of the Secretary of State, and the
9 Movement Coordination Centre Europe.

10 “(2) NOTIFICATION.—The Secretary of Defense
11 shall provide to the congressional defense commit-
12 tees notification of any arrangement or agreement
13 entered into under paragraph (1).

14 “(3) FUNDING ARRANGEMENTS.—If Depart-
15 ment of Defense facilities, equipment, or funds are
16 used to support the SEOS program, the written ar-
17 rangement or agreement under paragraph (1) shall
18 specify the details of any equitable cost-sharing or
19 other funding arrangement.

20 “(4) OTHER ELEMENTS.—Any written arrange-
21 ment or agreement entered into under paragraph (1)
22 shall require that any accrued credits or liability re-
23 sulting from an unequal exchange or transfer of sur-
24 face transportation services shall be liquidated

1 through the SEOS program not less than once every
2 five years.

3 “(c) IMPLEMENTATION.—In carrying out any ar-
4 rangement or agreement entered into under subsection
5 (b), the Secretary of Defense may—

6 “(1) pay the equitable share of the Department
7 of Defense for the operating expenses of the Move-
8 ment Coordination Centre Europe and the SEOS
9 program from funds available to the Department of
10 Defense for operation and maintenance; and

11 “(2) assign members of the armed forces or De-
12 partment of Defense civilian personnel, within billets
13 authorized for the United States European Com-
14 mand, to duty at the Movement Coordination Centre
15 Europe as necessary to fulfill Department of De-
16 fense obligations under that arrangement or agree-
17 ment.

18 “(d) CREDITING OF RECEIPTS.—Any amount re-
19 ceived by the Department of Defense as part of the SEOS
20 program shall be credited, at the option of the Secretary
21 of Defense, to—

22 “(1) the appropriation, fund, or account used in
23 incurring the obligation for which such amount is re-
24 ceived; or

1 “(2) an appropriate appropriation, fund, or ac-
2 count currently available for the purposes for which
3 the expenditures were made.

4 “(e) ANNUAL REPORT.—

5 “(1) IN GENERAL.—Not later than 30 days
6 after the end of each fiscal year in which the author-
7 ity under this section is in effect, the Secretary of
8 Defense shall submit to the congressional defense
9 committees a report on Department of Defense par-
10 ticipation in the SEOS program during such fiscal
11 year.

12 “(2) ELEMENTS.—Each report required by
13 paragraph (1) shall include the following:

14 “(A) A description of the equitable share
15 of the costs and activities of the SEOS program
16 paid by the Department of Defense.

17 “(B) A description of any amount received
18 by the Department of Defense as part of such
19 program, including the country from which the
20 amount was received.

21 “(f) LIMITATION ON STATUTORY CONSTRUCTION.—
22 Nothing in this section may be construed to authorize the
23 use of foreign sealift in violation of section 2631.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of such subchapter is amended by insert-

1 ing after the item relating to section 2350l the following
 2 new item:

“2350m. Participation in European program on multilateral exchange of surface transportation services.”.

3 **SEC. 1241. PARTICIPATION IN PROGRAMS RELATING TO CO-**
 4 **ORDINATION OR EXCHANGE OF AIR REFUEL-**
 5 **ING AND AIR TRANSPORTATION SERVICES.**

6 (a) IN GENERAL.—Subchapter II of chapter 138 of
 7 title 10, United States Code, as amended by section
 8 1240(a), is further amended by adding at the end the fol-
 9 lowing new section:

10 **“§ 2350o. Participation in programs relating to co-**
 11 **ordination or exchange of air refueling**
 12 **and air transportation services**

13 “(a) PARTICIPATION AUTHORIZED.—

14 “(1) IN GENERAL.—The Secretary of Defense,
 15 with the concurrence of the Secretary of State, may
 16 authorize the participation of the Department of De-
 17 fense in programs relating to the coordination or ex-
 18 change of air refueling and air transportation serv-
 19 ices, including in the arrangement known as the Air
 20 Transport and Air-to-Air Refueling and other Ex-
 21 changes of Services program (in this section referred
 22 to as the ‘ATARES program’).

1 “(2) SCOPE OF PARTICIPATION.—Participation
2 of the Department of Defense in programs referred
3 to in paragraph (1) may include—

4 “(A) the reciprocal exchange or transfer of
5 air refueling and air transportation services on
6 a reimbursable basis or by replacement-in-kind;
7 and

8 “(B) the exchange of air refueling and air
9 transportation services of an equal value.

10 “(3) LIMITATIONS WITH RESPECT TO PARTICI-
11 PATION IN ATARES PROGRAM.—

12 “(A) IN GENERAL.—The Department of
13 Defense balance of executed flight hours in par-
14 ticipation in the ATARES program under para-
15 graph (1), whether as credits or debits, may not
16 exceed a total of 500 hours.

17 “(B) AIR REFUELING.—The Department
18 of Defense balance of executed flight hours for
19 air refueling in participation in the ATARES
20 program under paragraph (1) may not exceed
21 200 hours.

22 “(b) WRITTEN ARRANGEMENT OR AGREEMENT.—
23 Participation of the Department of Defense in a program
24 referred to in subsection (a)(1) shall be in accordance with
25 a written arrangement or agreement entered into by the

1 Secretary of Defense, with the concurrence of the Sec-
2 retary of State.

3 “(c) IMPLEMENTATION.—In carrying out any ar-
4 rangement or agreement entered into under subsection
5 (b), the Secretary of Defense may—

6 “(1) pay the equitable share of the Department
7 of Defense for the recurring and nonrecurring costs
8 of the applicable program referred to in subsection
9 (a)(1) from funds available to the Department for
10 operation and maintenance; and

11 “(2) assign members of the armed forces or De-
12 partment of Defense civilian personnel to fulfill De-
13 partment obligations under that arrangement or
14 agreement.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of such subchapter, as amended by sec-
17 tion 1240(b), is further amended by adding at the end
18 the following new item:

“2350o. Participation in programs relating to coordination or exchange of air
refueling and air transportation services.”.

19 (c) REPEAL.—Section 1276 of the National Defense
20 Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350c
21 note) is repealed.

1 **SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDI-**
2 **NATED ACTION TO ENSURE THE SECURITY**
3 **OF BALTIC ALLIES.**

4 It is the sense of Congress that—

5 (1) the continued security of the Baltic states
6 of Estonia, Latvia, and Lithuania is critical to
7 achieving United States national security interests
8 and defense objectives against the acute and formi-
9 dable threat posed by Russia;

10 (2) the United States and the Baltic states are
11 leaders in the mission of defending independence
12 and democracy from aggression and in promoting
13 stability and security within the North Atlantic
14 Treaty Organization (NATO), with non-NATO part-
15 ners, and with other international organizations such
16 as the European Union;

17 (3) the Baltic states are model NATO allies in
18 terms of burden sharing and capital investment in
19 materiel critical to United States and allied security,
20 investment of over 2 percent of their gross domestic
21 product on defense expenditure, allocating over 20
22 percent of their defense budgets on capital mod-
23 ernization, matching security assistance from the
24 United States, frequently deploying their forces
25 around the world in support of allied and United
26 States objectives, and sharing diplomatic, technical,

1 military, and analytical expertise on defense and se-
2 curity matters;

3 (4) the United States should continue to
4 strengthen bilateral and multilateral defense by,
5 with, and through allied nations, particularly those
6 that possess expertise and dexterity but do not enjoy
7 the benefits of national economies of scale;

8 (5) the United States should pursue a dedicated
9 initiative focused on defense and security assistance,
10 coordination, and planning designed to ensure the
11 continued security of the Baltic states and on deter-
12 ring current and future challenges to the national
13 sovereignty of United States allies and partners in
14 the Baltic region; and

15 (6) such an initiative should include an innova-
16 tive and comprehensive conflict deterrence strategy
17 for the Baltic region encompassing the unique geog-
18 raphy of the Baltic states, modern and diffuse
19 threats to their land, sea, and air spaces, and nec-
20 essary improvements to their defense posture, in-
21 cluding command-and-control infrastructure, intel-
22 ligence, surveillance, and reconnaissance capabilities,
23 communications equipment and networks, and spe-
24 cial forces.

1 **Subtitle E—Matters Relating to the**
2 **Indo-Pacific Region**

3 **SEC. 1251. PACIFIC DETERRENCE INITIATIVE.**

4 (a) IN GENERAL.—The Secretary of Defense shall
5 carry out an initiative to ensure the effective implementa-
6 tion of the National Defense Strategy with respect to the
7 Indo-Pacific region, to be known as the “Pacific Deter-
8 rence Initiative” (in this section referred to as the “Initia-
9 tive”).

10 (b) PURPOSE.—The purpose of the Initiative is to
11 carry out only the following activities:

12 (1) Activities to increase the lethality of the
13 joint force in the Indo-Pacific region, including, but
14 not limited to—

15 (A) by improving active and passive de-
16 fenses against theater cruise, ballistic, and
17 hypersonic missiles for bases, operating loca-
18 tions, and other critical infrastructure at loca-
19 tions west of the International Date Line; and

20 (B) procurement and fielding of—

21 (i) long-range precision strike systems
22 to be stationed or pre-positioned west of
23 the International Date Line;

1 (ii) critical munitions to be pre-positi-
2 tioned at locations west of the Inter-
3 national Date Line; and

4 (iii) command, control, communica-
5 tions, computers and intelligence, surveil-
6 lance, and reconnaissance systems intended
7 for stationing or operational use in the
8 Indo-Pacific region.

9 (2) Activities to enhance the design and posture
10 of the joint force in the Indo-Pacific region, includ-
11 ing, but not limited to, by—

12 (A) transitioning from large, centralized,
13 and unhardened infrastructure to smaller, dis-
14 persed, resilient, and adaptive basing at loca-
15 tions west of the International Date Line;

16 (B) increasing the number and capabilities
17 of expeditionary airfields and ports in the Indo-
18 Pacific region available for operational use at
19 locations west of the International Date Line;

20 (C) enhancing pre-positioned forward
21 stocks of fuel, munitions, equipment, and mate-
22 riel at locations west of the International Date
23 Line;

24 (D) increasing the availability of strategic
25 mobility assets in the Indo-Pacific region;

1 (E) improving distributed logistics and
2 maintenance capabilities in the Indo-Pacific re-
3 gion to ensure logistics sustainment while under
4 persistent multidomain attack; and

5 (F) increasing the presence of the Armed
6 Forces at locations west of the International
7 Date Line.

8 (3) Activities to strengthen alliances and part-
9 nerships, including, but not limited to, by—

10 (A) building capacity of allies and part-
11 ners; and

12 (B) improving—

13 (i) interoperability and information
14 sharing with allies and partners; and

15 (ii) information operations capabilities
16 in the Indo-Pacific region, with a focus on
17 reinforcing United States commitment to
18 allies and partners and countering malign
19 influence.

20 (4) Activities to carry out a program of exer-
21 cises, experimentation, and innovation for the joint
22 force in the Indo-Pacific region.

23 (c) PLAN REQUIRED.—Not later than February 15,
24 2021, the Secretary, in consultation with the Commander
25 of the United States Indo-Pacific Command, shall submit

1 to the congressional defense committees a plan to expend
2 not less than the amounts authorized to be appropriated
3 under subsection (e)(2).

4 (d) BUDGET DISPLAY INFORMATION.—The Sec-
5 retary shall include in the materials of the Department
6 of Defense in support of the budget of the President (sub-
7 mitted to Congress pursuant to section 1105 of title 31,
8 United States Code) for fiscal year 2022 and each fiscal
9 year thereafter a detailed budget display for the Initiative
10 that includes the following information:

11 (1) A future-years plan with respect to activi-
12 ties and resources for the Initiative for the applica-
13 ble fiscal year and not fewer than the four following
14 fiscal years.

15 (2) With respect to procurement accounts—

16 (A) amounts displayed by account, budget
17 activity, line number, line item, and line item
18 title; and

19 (B) a description of the requirements for
20 such amounts specific to the Initiative.

21 (3) With respect to research, development, test,
22 and evaluation accounts—

23 (A) amounts displayed by account, budget
24 activity, line number, program element, and
25 program element title; and

1 (B) a description of the requirements for
2 such amounts specific to the Initiative.

3 (4) With respect to operation and maintenance
4 accounts—

5 (A) amounts displayed by account title,
6 budget activity title, line number, and sub-
7 activity group title; and

8 (B) a description of the specific manner in
9 which such amounts will be used.

10 (5) With respect to military personnel ac-
11 counts—

12 (A) amounts displayed by account, budget
13 activity, budget subactivity, and budget sub-
14 activity title; and

15 (B) a description of the requirements for
16 such amounts specific to the Initiative.

17 (6) With respect to each project under military
18 construction accounts (including with respect to un-
19 specified minor military construction and amounts
20 for planning and design), the country, location,
21 project title, and project amount by fiscal year.

22 (7) With respect to the activities described in
23 subsection (b)—

1 (A) amounts displayed by account title,
2 budget activity title, line number, and sub-
3 activity group title; and

4 (B) a description of the specific manner in
5 which such amounts will be used.

6 (8) With respect to each military service—

7 (A) amounts displayed by account title,
8 budget activity title, line number, and sub-
9 activity group title; and

10 (B) a description of the specific manner in
11 which such amounts will be used.

12 (9) With respect to the amounts described in
13 each of paragraphs (2)(A), (3)(A), (4)(A), (5)(A),
14 (6), (7)(A), and (8)(A), a comparison between—

15 (A) the amount in the budget of the Presi-
16 dent for the following fiscal year; and

17 (B) the amount projected in the previous
18 budget of the President for the following fiscal
19 year.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Secretary to carry
22 out the activities of the Initiative described in subsection
23 (b) the following:

24 (1) For fiscal year 2021, \$1,406,417,000, as
25 specified in the funding table in section 4502.

1 (2) For fiscal year 2022, \$5,500,000,000.

2 (f) REPEAL.—Section 1251 of the National Defense
3 Authorization Act for Fiscal Year 2018 (Public Law 115–
4 91; 131 Stat. 1676), as most recently amended by section
5 1253 of the John S. McCain National Defense Authoriza-
6 tion Act for Fiscal Year 2019 (Public Law 115–232; 132
7 Stat. 2054), is repealed.

8 **SEC. 1252. SENSE OF SENATE ON THE UNITED STATES-VIET-**
9 **NAM DEFENSE RELATIONSHIP.**

10 In commemoration of the 25th anniversary of the
11 normalization of diplomatic relations between the United
12 States and Vietnam, the Senate—

13 (1) welcomes the historic progress and achieve-
14 ments in United States-Vietnam relations over the
15 last 25 years;

16 (2) congratulates Vietnam on its chairmanship
17 of the Association of Southeast Asian Nations and
18 its election as a nonpermanent member of the
19 United Nations Security Council, both of which sym-
20 bolize the positive leadership role of Vietnam in re-
21 gional and global affairs;

22 (3) commends the commitment of Vietnam to
23 resolve international disputes through peaceful
24 means on the basis of international law;

1 (4) affirms the commitment of the United
2 States—

3 (A) to respect the independence and sov-
4 ereignty of Vietnam; and

5 (B) to establish and promote friendly rela-
6 tions and work together on an equal footing for
7 mutual benefit with Vietnam;

8 (5) encourages the United States and Vietnam
9 to elevate their comprehensive partnership to a stra-
10 tegic partnership based on mutual understanding,
11 shared interests, and a common desire to promote
12 peace, cooperation, prosperity, and security in the
13 Indo-Pacific region;

14 (6) affirms the commitment of the United
15 States to continue to address war legacy issues, in-
16 cluding through dioxin remediation, unexploded ord-
17 nance removal, accounting for prisoners of war and
18 soldiers missing in action, and other activities; and

19 (7) supports deepening defense cooperation be-
20 tween the United States and Vietnam, including
21 with respect to maritime security, cybersecurity,
22 counterterrorism, information sharing, humanitarian
23 assistance and disaster relief, military medicine,
24 peacekeeping operations, defense trade, and other
25 areas.

1 **SEC. 1253. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA**
2 **DIOXIN CLEANUP.**

3 (a) **TRANSFER AUTHORITY.**—Notwithstanding sec-
4 tion 2215 of title 10, United States Code, the Secretary
5 of Defense may transfer to the Secretary of State, for use
6 by the United States Agency for International Develop-
7 ment, amounts to be used for the Bien Hoa dioxin cleanup
8 in Vietnam.

9 (b) **LIMITATION ON AMOUNT.**—Not more than
10 \$15,000,000 may be transferred in fiscal year 2021 under
11 the transfer authority in subsection (a).

12 (c) **ADDITIONAL TRANSFER AUTHORITY.**—The
13 transfer authority in subsection (a) is in addition to any
14 other transfer authority available to the Department of
15 Defense.

16 (d) **NOTICE ON EXERCISE OF AUTHORITY.**—If the
17 Secretary of Defense determines to use the transfer au-
18 thority in subsection (a), the Secretary shall notify the
19 congressional defense committee of that determination not
20 later than 30 days before the Secretary uses the transfer
21 authority.

22 **SEC. 1254. COOPERATIVE PROGRAM WITH VIETNAM TO AC-**
23 **COUNT FOR VIETNAMESE PERSONNEL MISS-**
24 **ING IN ACTION.**

25 (a) **IN GENERAL.**—The Secretary of Defense, in co-
26 operation with other appropriate Federal departments and

1 agencies, is authorized to carry out a cooperative program
2 with the Ministry of Defense of Vietnam to assist in ac-
3 counting for Vietnamese personnel missing in action.

4 (b) PURPOSE.—The purpose of the cooperative pro-
5 gram under subsection (a) is to carry out the following
6 activities:

7 (1) Collection, digitization, and sharing of ar-
8 chival information.

9 (2) Building the capacity of Vietnam to conduct
10 archival research, investigations, and excavations.

11 (3) Improving DNA analysis capacity.

12 (4) Increasing veteran-to-veteran exchanges.

13 (5) Other support activities the Secretary con-
14 siders necessary and appropriate.

15 **SEC. 1255. PROVISION OF GOODS AND SERVICES AT KWAJA-**
16 **LEIN ATOLL, REPUBLIC OF THE MARSHALL**
17 **ISLANDS.**

18 (a) IN GENERAL.—Chapter 767 of title 10, United
19 States Code, is amended by adding at the end the fol-
20 lowing new section:

21 **“§ 7596. Provision of goods and services at Kwajalein**
22 **Atoll**

23 “(a) AUTHORITY.—(1) Except as provided in para-
24 graph (2), the Secretary of the Army, with the concur-
25 rence of the Secretary of State, may provide goods and

1 services, including interatoll transportation, to the Govern-
2 ment of the Republic of the Marshall Islands and other
3 eligible patrons, as determined by the Secretary of the
4 Army, at Kwajalein Atoll.

5 “(2) The Secretary of the Army may not provide
6 goods or services under this section if doing so would be
7 inconsistent, as determined by the Secretary of State, with
8 the Compact of Free Association between the Government
9 of the United States and the Government of the Republic
10 of the Marshall Islands or any subsidiary agreement or
11 implementing arrangement.

12 “(b) REIMBURSEMENT.—(1) The Secretary of the
13 Army may collect reimbursement from the Government of
14 the Republic of the Marshall Islands and eligible patrons
15 for the provision of goods or services under subsection (a).

16 “(2) The amount collected for goods or services under
17 this subsection may not be greater than the total amount
18 of actual costs to the United States for providing the
19 goods or services.

20 “(c) NECESSARY EXPENSES.—Amounts appropriated
21 to the Department of the Army may be used for necessary
22 expenses associated with providing goods and services
23 under this section.

24 “(d) REGULATIONS.—The Secretary of the Army
25 shall issue regulations to carry out this section.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of such chapter is amended by adding
 3 at the end the following new item:

“7596. Provision of goods and services at Kwajalein Atoll.”.

4 (c) BRIEFING.—Not later than December 31, 2021,
 5 the Secretary of the Army shall provide to the congres-
 6 sional defense committees a briefing on the use of the au-
 7 thority under section 7596(a) of title 10, United States
 8 Code, as added by subsection (a), in fiscal year 2021, in-
 9 cluding a written summary describing the goods and serv-
 10 ices provided on a reimbursable basis and the goods and
 11 services provided on a nonreimbursable basis.

12 **SEC. 1256. AUTHORITY TO ESTABLISH A MOVEMENT CO-**
 13 **ORDINATION CENTER PACIFIC IN THE INDO-**
 14 **PACIFIC REGION AND PARTICIPATE IN AN**
 15 **AIR TRANSPORT AND AIR-TO-AIR REFUELING**
 16 **AND OTHER EXCHANGES OF SERVICES PRO-**
 17 **GRAM.**

18 (a) IN GENERAL.—The Secretary of Defense, with
 19 the concurrence of the Secretary of State, may author-
 20 ize—

21 (1) the establishment of a Movement Coordina-
 22 tion Center Pacific (in this section referred to as the
 23 “Center”); and

24 (2) participation of the Department of Defense
 25 in an Air Transport and Air-to-Air Refueling and

1 other Exchanges of Services program (in this section
2 referred to as the “ATARES program”) of the Cen-
3 ter.

4 (b) SCOPE OF PARTICIPATION.—Participation of the
5 Department in the ATARES program shall be limited
6 to—

7 (1) the reciprocal exchange or transfer of air
8 transportation and air refueling services on a reim-
9 bursable basis or by replacement-in-kind; and

10 (2) the exchange of air transportation or air re-
11 fueling services of equal value.

12 (c) LIMITATIONS.—

13 (1) TRANSPORTATION HOURS.—The Depart-
14 ment balance of executed transportation hours in the
15 ATARES program, whether as credits or debits,
16 may not exceed 500 hours.

17 (2) FLIGHT HOURS.—The Department balance
18 of executed flight hours for air refueling in the
19 ATARES program may not exceed 200 hours.

20 (d) WRITTEN ARRANGEMENT OR AGREEMENT.—

21 (1) IN GENERAL.—Participation of the Depart-
22 ment in the ATARES program shall be in accord-
23 ance with a written arrangement or agreement en-
24 tered into by the Secretary of Defense, with the con-
25 currence of the Secretary of State.

1 (2) FUNDING ARRANGEMENTS.—If Department
2 facilities, equipment, or funds are used to support
3 the ATARES program, the written arrangement or
4 agreement under paragraph (1) shall specify the de-
5 tails of any equitable cost-sharing or other funding
6 arrangement.

7 (3) OTHER ELEMENTS.—Any written arrange-
8 ment or agreement entered into under paragraph (1)
9 shall require any accrued credit or liability resulting
10 from an unequal exchange or transfer of air trans-
11 portation or air refueling services to be liquidated
12 through the ATARES program not less frequently
13 than once every five years.

14 (e) IMPLEMENTATION.—In carrying out any written
15 arrangement or agreement entered into under subsection
16 (d), the Secretary of Defense may—

17 (1) pay the equitable share of the Department
18 for the operating expenses of the Center and the
19 ATARES program from funds available to the De-
20 partment for operation and maintenance; and

21 (2) assign members of the Armed Forces or De-
22 partment civilian personnel, within billets authorized
23 for the United States Indo-Pacific Command, to
24 duty at the Center as necessary to fulfill Depart-

1 ment obligations under that arrangement or agree-
2 ment.

3 **SEC. 1257. TRAINING OF ALLY AND PARTNER AIR FORCES**
4 **IN GUAM.**

5 (a) SENSE OF SENATE.—It is the sense of the Senate
6 that—

7 (1) the memorandum of understanding agreed
8 to by the United States and the Republic of Singa-
9 pore on December 6, 2019, to establish a fighter jet
10 training detachment in Guam should be commended;

11 (2) such agreement is a manifestation of the
12 strong, enduring, and forward-looking partnership of
13 the United States and the Republic of Singapore;
14 and

15 (3) the permanent establishment of a fighter
16 detachment in Guam will further enhance the inter-
17 operability of the air forces of the United States and
18 the Republic of Singapore and provide training op-
19 portunities needed to maximize their readiness.

20 (b) REPORT.—Not later than one year after the date
21 of the enactment of this Act, the Secretary of Defense
22 shall submit to the congressional defense committees a re-
23 port assessing the merit and feasibility of entering into
24 agreements similar to the memorandum of understanding
25 referred to in subsection (a)(1) with other United States

1 allies and partners in the Indo-Pacific region, including
2 Japan, Australia, and India.

3 **SEC. 1258. STATEMENT OF POLICY AND SENSE OF SENATE**
4 **ON THE TAIWAN RELATIONS ACT.**

5 (a) STATEMENT OF POLICY.—It is the policy of the
6 United States—

7 (1) that the Taiwan Relations Act (Public Law
8 96–8; 22 U.S.C. 3301 et seq.) and the “Six Assur-
9 ances” provided by the United States to Taiwan in
10 July 1982 are the foundation for United States-Tai-
11 wan relations;

12 (2) that nothing in the Taiwan Relations Act
13 (Public Law 96–8; 22 U.S.C. 3301 et seq.) con-
14 strains deepening, to the extent possible, the exten-
15 sive, close, and friendly relations of the United
16 States and Taiwan, including defense relations;

17 (3) that the Taiwan Relations Act (Public Law
18 96–8; 22 U.S.C. 3301 et seq.) shall be implemented
19 and executed in a manner consistent with evolving
20 political, security, and economic dynamics and cir-
21 cumstances;

22 (4) that, as set forth in the Taiwan Relations
23 Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the
24 United States expects the “future of Taiwan will be
25 determined by peaceful means,” and that “any effort

1 to determine the future of Taiwan by other than
2 peaceful means” is “a threat to the peace and secu-
3 rity of the Western Pacific area and of grave con-
4 cern to the United States”;

5 (5) that the increasingly coercive and aggressive
6 behavior of the People’s Republic of China towards
7 Taiwan, including growing military maneuvers tar-
8 geting Taiwan, is contrary to the expectation of the
9 peaceful resolution of the future of Taiwan;

10 (6) that, as set forth in the Taiwan Relations
11 Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the
12 United States will support the development of capa-
13 ble, ready, and modern defense forces necessary for
14 Taiwan to maintain a sufficient self-defense capa-
15 bility, including by—

16 (A) supporting acquisition by Taiwan of
17 defense articles and services through foreign
18 military sales, direct commercial sales, and in-
19 dustrial cooperation, with an emphasis on capa-
20 bilities that support the asymmetric defense
21 strategy of Taiwan, including antiship, coastal
22 defense, antiarmor, air defense, undersea war-
23 fare, advanced command, control, communica-
24 tions, computers, intelligence, surveillance, and

1 reconnaissance, and resilient command and con-
2 trol capabilities;

3 (B) ensuring timely review of and response
4 to requests of Taiwan for defense articles and
5 services;

6 (C) conducting practical training and mili-
7 tary exercises with Taiwan, including, as appro-
8 priate, the Rim of the Pacific exercise, com-
9 bined training at the National Training Center
10 at Fort Erwin, and bilateral naval exercises and
11 training;

12 (D) examining the potential for expanding
13 professional military education and technical
14 training opportunities in the United States for
15 military personnel of Taiwan;

16 (E) pursuing a strategy of military engage-
17 ment with Taiwan that fully integrates ex-
18 changes at the strategic, policy, and functional
19 levels;

20 (F) increasing exchanges between senior
21 defense officials and general officers of the
22 United States and Taiwan consistent with the
23 Taiwan Travel Act (Public Law 115–135; 132
24 Stat. 341), especially for the purpose of enhanc-
25 ing cooperation on defense planning and im-

1 proving the interoperability of the military
2 forces of the United States and Taiwan;

3 (G) conducting military exchanges with
4 Taiwan specifically focused on improving the re-
5 serve force of Taiwan; and

6 (H) expanding cooperation in military
7 medicine and humanitarian assistance and dis-
8 aster relief, including through the participation
9 of medical vessels of Taiwan in appropriate ex-
10 ercises with the United States; and

11 (7) that, as set forth in the Taiwan Relations
12 Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the
13 United States will maintain the capacity “to resist
14 any resort to force or other forms of coercion that
15 would jeopardize the security, or the social or eco-
16 nomic system, of the people on Taiwan”, including
17 the capacity of the United States Armed Forces to
18 deny a “fait accompli” operation by the People’s Re-
19 public of China to rapidly seize control of Taiwan.

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

22 (1) ensure that policy guidance to the Depart-
23 ment of Defense related to United States-Taiwan de-
24 fense relations is fully consistent with the statement
25 of policy set forth in subsection (a); and

1 (2) issue new policy guidance required to carry
2 out such policy.

3 **SEC. 1259. SENSE OF CONGRESS ON PORT CALLS IN TAI-**
4 **WAN WITH THE USNS COMFORT AND THE**
5 **USNS MERCY .**

6 It is the sense of Congress that the Department of
7 Defense should conduct port calls in Taiwan with the
8 USNS Comfort and the USNS Mercy —

9 (1) to continue the collaboration between the
10 United States and Taiwan on COVID–19 responses,
11 which has included—

12 (A) research and development of tests, vac-
13 cines, and medicines; and

14 (B) donations of face masks;

15 (2) to further improve the cooperation between
16 the United States and Taiwan on military medicine
17 and humanitarian assistance and disaster relief;

18 (3) to allow United States personnel to benefit
19 from the expertise of Taiwanese personnel, in light
20 of the successful response of Taiwan to COVID–19;
21 and

22 (4) to continue the mission of the USNS Com-
23 fort and the USNS Mercy, which have demonstrated
24 the value of the Department capacity to deploy mar-
25 itime medical capabilities worldwide and provide con-

1 tingency capacity in the United States during sig-
2 nificant crises.

3 **SEC. 1260. LIMITATION ON USE OF FUNDS TO REDUCE**
4 **TOTAL NUMBER OF MEMBERS OF THE**
5 **ARMED FORCES SERVING ON ACTIVE DUTY**
6 **WHO ARE DEPLOYED TO THE REPUBLIC OF**
7 **KOREA.**

8 None of the funds authorized to be appropriated by
9 this Act may be obligated or expended to reduce the total
10 number of members of the Armed Forces serving on active
11 duty and deployed to the Republic of Korea to fewer than
12 28,500 such members of the Armed Forces until 90 days
13 after the date on which the Secretary of Defense certifies
14 to the congressional defense committees that—

15 (1) such a reduction—

16 (A) is in the national security interest of
17 the United States; and

18 (B) will not significantly undermine the se-
19 curity of United States allies in the region; and

20 (2) the Secretary has appropriately consulted
21 with allies of the United States, including the Re-
22 public of Korea and Japan, regarding such a reduc-
23 tion.

1 **SEC. 1261. SENSE OF CONGRESS ON CO-DEVELOPMENT**
2 **WITH JAPAN OF A LONG-RANGE GROUND-**
3 **BASED ANTI-SHIP CRUISE MISSILE SYSTEM.**

4 It is the sense of Congress that—

5 (1) the Department of Defense should prioritize
6 consultations with the Ministry of Defense of Japan
7 to determine whether a ground-based, long-range
8 anti-ship cruise missile system would meet shared
9 defense requirements of the United States and
10 Japan; and

11 (2) if it is determined that a ground-based,
12 long-range anti-ship cruise missile system would
13 meet shared defense requirements, the United States
14 and Japan should consider co-development of such a
15 system.

16 **SEC. 1262. STATEMENT OF POLICY ON COOPERATION IN**
17 **THE INDO-PACIFIC REGION.**

18 It is the policy of the United States—

19 (1) to strengthen alliances and partnerships in
20 the Indo-Pacific region and Europe and with like-
21 minded countries around the globe to effectively
22 compete with the People's Republic of China; and

23 (2) to work in collaboration with such allies and
24 partners—

1 (A) to address significant diplomatic, eco-
2 nomic, and military challenges posed by the
3 People's Republic of China;

4 (B) to deter the People's Republic of
5 China from pursuing military aggression;

6 (C) to promote the peaceful resolution of
7 territorial disputes in accordance with inter-
8 national law;

9 (D) to promote private sector-led long-term
10 economic development while countering efforts
11 by the Government of the People's Republic of
12 China to leverage predatory economic practices
13 as a means of political and economic coercion in
14 the Indo-Pacific region and beyond;

15 (E) to promote the values of democracy
16 and human rights, including through efforts to
17 end the repression by the Chinese Communist
18 Party of political dissidents and Uyghurs and
19 other ethnic Muslim minorities, Tibetan Bud-
20 dhists, Christians, and other minorities;

21 (F) to respond to the crackdown by the
22 Chinese Communist Party, in contravention of
23 the commitments made under the Sino-British
24 Joint Declaration of 1984 and the Basic Law

1 of Hong Kong, on the legitimate aspirations of
2 the people of Hong Kong; and

3 (G) to counter the Chinese Communist
4 Party's efforts to spread disinformation in the
5 People's Republic of China and beyond with re-
6 spect to the response of the Chinese Communist
7 Party to COVID-19.

8 **SEC. 1263. EXTENSION OF PROHIBITION ON COMMERCIAL**
9 **EXPORT OF CERTAIN MUNITIONS TO THE**
10 **HONG KONG POLICE FORCE.**

11 Section 3 of the Act entitled "An Act to prohibit the
12 commercial export of covered munitions items to the Hong
13 Kong Police Force", approved November 27, 2019 (Public
14 Law 116-77; 133 Stat. 1174), is amended by striking
15 "one year after the date of the enactment of this Act"
16 and inserting "on November 27, 2021".

17 **SEC. 1264. IMPLEMENTATION OF THE ASIA REASSURANCE**
18 **INITIATIVE ACT WITH REGARD TO TAIWAN**
19 **ARMS SALES.**

20 (a) FINDINGS.—Congress makes the following find-
21 ings:

22 (1) The Department of Defense Indo-Pacific
23 Strategy Report, released on June 1, 2019, states:
24 "[T]he Asia Reassurance Initiative Act, a major bi-
25 partisan legislation, was signed into law by Presi-

1 dent Trump on December 31, 2018. This legislation
2 enshrines a generational whole-of-government policy
3 framework that demonstrates U.S. commitment to a
4 free and open Indo-Pacific region and includes ini-
5 tiatives that promote sovereignty, rule of law, de-
6 mocracy, economic engagement, and regional secu-
7 rity.”.

8 (2) The Indo-Pacific Strategy Report further
9 states: “The United States has a vital interest in up-
10 holding the rules-based international order, which in-
11 cludes a strong, prosperous, and democratic Tai-
12 wan. . .The Department [of Defense] is committed
13 to providing Taiwan with defense articles and serv-
14 ices in such quantity as may be necessary to enable
15 Taiwan to maintain a sufficient self-defense capa-
16 bility.”.

17 (3) Section 209(b) of the Asia Reassurance Ini-
18 tiative Act of 2018 (22 U.S.C. 3301 note), signed
19 into law on December 31, 2018—

20 (A) builds on longstanding commitments
21 enshrined in the Taiwan Relations Act (22
22 U.S.C. 3301 et seq.) to provide Taiwan with de-
23 fense articles; and

24 (B) states: “The President should conduct
25 regular transfers of defense articles to Taiwan

1 that are tailored to meet the existing and likely
2 future threats from the People’s Republic of
3 China, including supporting the efforts of Tai-
4 wan to develop and integrate asymmetric capa-
5 bilities, as appropriate, including mobile, surviv-
6 able, and cost-effective capabilities, into its mili-
7 tary forces.”.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—

10 (1) the Asia Reassurance Initiative Act of 2018
11 (Public Law 115–409; 132 Stat. 5387) has recom-
12 mitted the United States to support the close, eco-
13 nomic, political, and security relationship between
14 the United States and Taiwan; and

15 (2) the United States should fully implement
16 the provisions of that Act with regard to regular de-
17 fensive arms sales to Taiwan.

18 (c) BRIEFING.—Not later than 30 days after the date
19 of the enactment of this Act, the Secretary of State and
20 the Secretary of Defense, or their designees, shall brief
21 the Committee on Foreign Relations of the Senate and
22 the Committee on Foreign Affairs of the House of Rep-
23 resentatives on the efforts to implement section 209(b) of
24 the Asia Reassurance Initiative Act of 2018 (22 U.S.C.
25 3301 note).

1 (ii) the unreimbursed balance of the
2 transaction;

3 (iii) the date on which the original
4 transaction was made;

5 (iv) the date on which the most recent
6 request for payment was sent to the rel-
7 evant foreign partner; and

8 (v) a plan for securing reimbursement
9 from the foreign partner.

10 (B) A description of the steps taken to im-
11 plement the recommendations made in the re-
12 port of the Government Accountability Office
13 entitled “Defense Logistics Agreements: DOD
14 Should Improve Oversight and Seek Payment
15 from Foreign Partners for Thousands of Orders
16 It Identifies as Overdue” issued in March 2020,
17 including efforts to validate data reported under
18 this subsection and in the system of record for
19 acquisition and cross-servicing agreements of
20 the Department of Defense.

21 (C) The amount of reimbursement received
22 from foreign partners for each order—

23 (i) for which the reimbursement is re-
24 corded as overdue in the system of record

1 for acquisition and cross-servicing agree-
2 ments of the Department of Defense; and
3 (ii) that was authorized during the pe-
4 riod beginning in October 2013 and ending
5 in September 2020.

6 (D) A plan for improving recordkeeping of
7 acquisition and cross-servicing transactions and
8 ensuring timely reimbursement by foreign part-
9 ners.

10 (E) Any other matter considered relevant
11 by the designated official described in sub-
12 section (a).

13 **SEC. 1272. REPORT ON BURDEN SHARING CONTRIBUTIONS**
14 **BY DESIGNATED COUNTRIES.**

15 Section 2350j of title 10, United States Code, is
16 amended by adding at the end the following new sub-
17 section:

18 “(f) REPORT ON CONTRIBUTIONS RECEIVED FROM
19 DESIGNATED COUNTRIES.—

20 “(1) IN GENERAL.—Not later than January 15
21 each year, the Secretary of Defense shall submit to
22 the appropriate committees of Congress a report on
23 the burden sharing contributions received under this
24 section from designated countries.

1 “(2) ELEMENTS.—Each report required by
2 paragraph (1) shall include the following for the pre-
3 ceding fiscal year:

4 “(A) A list of all designated countries from
5 which burden sharing contributions were re-
6 ceived.

7 “(B) An explanation of the purpose for
8 which each such burden sharing contribution
9 was provided.

10 “(C) In the case of a written agreement
11 entered into with a designated country under
12 this section—

13 “(i) the date on which the agreement
14 was signed; and

15 “(ii) the names of the individuals who
16 signed the agreement.

17 “(D) For each designated country—

18 “(i) the amount provided by the des-
19 ignated country; and

20 “(ii) the amount of any remaining un-
21 obligated balance.

22 “(E) The amount of such burden sharing
23 contributions expended, by eligible category, in-
24 cluding compensation for local national employ-

1 ees, military construction projects, and supplies
2 and services of the Department of Defense.

3 “(F) An explanation of any other burden
4 sharing or in-kind contribution provided by a
5 designated country under an agreement or au-
6 thority other than the authority provided by
7 this section.

8 “(G) Any other matter the Secretary of
9 Defenses considers relevant.

10 “(3) APPROPRIATE COMMITTEES OF CONGRESS
11 DEFINED.—In this subsection, the term ‘appropriate
12 committees of Congress’ means—

13 “(A) the Committee on Armed Services,
14 the Committee on Foreign Relations, and the
15 Committee on Appropriations of the Senate;
16 and

17 “(B) the Committee on Armed Services,
18 the Committee on Foreign Affairs, and the
19 Committee on Appropriations of the House of
20 Representatives.”.

21 **SEC. 1273. REPORT ON RISK TO PERSONNEL, EQUIPMENT,**
22 **AND OPERATIONS DUE TO HUAWEI 5G ARCHI-**
23 **TECTURE IN HOST COUNTRIES.**

24 (a) IN GENERAL.—Not later than one year after the
25 date of the enactment of this Act, the Secretary of Defense

1 shall submit to the congressional defense committees a re-
2 port that contains an assessment of—

3 (1) the risk to personnel, equipment, and oper-
4 ations of the Department of Defense in host coun-
5 tries posed by the current or intended use by such
6 countries of 5G telecommunications architecture pro-
7 vided by Huawei Technologies Co., Ltd.; and

8 (2) measures required to mitigate the risk de-
9 scribed in paragraph (1), including the merit and
10 feasibility of the relocation of certain personnel or
11 equipment of the Department to another location
12 without the presence of 5G telecommunications ar-
13 chitecture provided by Huawei Technologies Co.,
14 Ltd.

15 (b) FORM.—The report required by subsection (a)
16 shall be submitted in classified form with an unclassified
17 summary.

18 **SEC. 1274. ALLIED BURDEN SHARING REPORT.**

19 (a) FINDING; SENSE OF CONGRESS.—

20 (1) FINDING.—Congress finds that section
21 1003 of the Department of Defense Authorization
22 Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

23 (A) expresses the sense of Congress that,
24 due to threats that are ever-changing, Congress
25 must be informed with respect to allied con-

1 tributions to the common defense to properly
2 assess the readiness of the United States and
3 the countries described in subsection (b)(2) for
4 threats; and

5 (B) requires the Secretary of Defense to
6 submit to Congress an annual report on the
7 contributions of allies to the common defense.

8 (2) SENSE OF CONGRESS.—It is the sense of
9 Congress that—

10 (A) the threats facing the United States—

11 (i) extend beyond the global war on
12 terror; and

13 (ii) include near-peer threats; and

14 (B) the President should seek from each
15 country described in subsection (b)(2) accept-
16 ance of international security responsibilities
17 and agreements to make contributions to the
18 common defense in accordance with the collec-
19 tive defense agreements or treaties to which
20 such country is a party.

21 (b) REPORTS ON ALLIED CONTRIBUTIONS TO THE
22 COMMON DEFENSE.—

23 (1) IN GENERAL.—Not later than March 1 each
24 year, the Secretary of Defense, in coordination with
25 the heads of other Federal agencies, as the Sec-

1 retary determines to be necessary, shall submit to
2 the appropriate committees of Congress a report
3 containing a description of—

4 (A) the annual defense spending by each
5 country described in paragraph (2), including
6 available data on nominal budget figures and
7 defense spending as a percentage of the gross
8 domestic products of each such country for the
9 fiscal year immediately preceding the fiscal year
10 in which the report is submitted;

11 (B) the activities of each such country to
12 contribute to military or stability operations in
13 which the Armed Forces of the United States
14 are a participant or may be called upon in ac-
15 cordance with a cooperative defense agreement
16 to which the United States is a party;

17 (C) any limitations placed by any such
18 country on the use of such contributions; and

19 (D) any actions undertaken by the United
20 States or by other countries to minimize such
21 limitations.

22 (2) COUNTRIES DESCRIBED.—The countries de-
23 scribed in this paragraph are the following:

24 (A) Each member state of the North At-
25 lantic Treaty Organization.

1 (B) Each member state of the Gulf Co-
2 operation Council.

3 (C) Each country party to the Inter-Amer-
4 ican Treaty of Reciprocal Assistance (Rio Trea-
5 ty), done at Rio de Janeiro September 2, 1947,
6 and entered into force December 3, 1948
7 (TIAS 1838).

8 (D) Australia.

9 (E) Japan.

10 (F) New Zealand.

11 (G) The Philippines.

12 (H) South Korea.

13 (I) Thailand.

14 (3) FORM.—Each report under paragraph (1)
15 shall be submitted in unclassified form, but may
16 contain a classified annex.

17 (4) AVAILABILITY.—A report submitted under
18 paragraph (1) shall be made available on request to
19 any Member of Congress.

20 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
21 FINED.—In this section, the term “appropriate commit-
22 tees of Congress” means—

23 (1) the Committee on Armed Services, the
24 Committee on Foreign Relations, and the Committee
25 on Appropriations of the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Affairs, and the Committee
3 on Appropriations of the House of Representatives.

4 **Subtitle G—Other Matters**

5 **SEC. 1281. RECIPROCAL PATIENT MOVEMENT AGREE-** 6 **MENTS.**

7 (a) IN GENERAL.—Subchapter II of chapter 138 of
8 title 10, United States Code, as amended by section
9 1241(a), is further amended by adding at the end the fol-
10 lowing new section:

11 **“§ 2350p. Reciprocal patient movement agreements**

12 “(a) AUTHORITY.—Subject to the availability of ap-
13 propriations, the Secretary of Defense, with the concur-
14 rence of the Secretary of State, may enter into a bilateral
15 or multilateral memorandum of understanding or other
16 formal agreement with one or more governments of part-
17 ner countries that provides for—

18 “(1) the interchangeable, nonreimbursable use
19 of patient movement personnel, either individually or
20 as members of a patient movement crew or team,
21 and equipment, belonging to one partner country to
22 perform patient movement services aboard the air-
23 craft, vessels, or vehicles of another partner country;

24 “(2) the reciprocal recognition and acceptance
25 of —

1 “(A) national professional credentials, cer-
2 tifications, and licenses of patient movement
3 personnel; and

4 “(B) national certifications, approvals, and
5 licenses of equipment used in the provision of
6 patient movement services; and

7 “(3) the acceptance of agreed-upon standards
8 for the provision of patient movement services by
9 aircraft, vessel, or vehicle, including, as determined
10 to be beneficial and otherwise permitted by law, the
11 harmonization of patient treatment standards and
12 procedures.

13 “(b) CERTIFICATION.—(1) Before entering into a
14 memorandum of understanding or other formal agreement
15 with the government of a partner country under this sec-
16 tion, the Secretary of Defense shall certify in writing that
17 the professional credentials, certifications, licenses, and
18 approvals for patient movement personnel and patient
19 movement equipment of the partner country—

20 “(A) meet or exceed the equivalent standards of
21 the United States for similar personnel and equip-
22 ment; and

23 “(B) will provide for a level of care comparable
24 to, or better than, the level of care provided by the
25 Department of Defense.

1 “(2) A certification under paragraph (1) shall be—

2 “(A) submitted to the appropriate committees
3 of Congress not later than 15 days after the date on
4 which the Secretary of Defense makes the certifi-
5 cation; and

6 “(B) reviewed and recertified by the Secretary
7 of Defense not less frequently than annually.

8 “(c) SUSPENSION.—If the Secretary of Defense is
9 unable to recertify a partner country as required by sub-
10 section (b)(2)(B), use of the personnel or equipment of
11 the partner country by the Department of Defense under
12 a memorandum of understanding or other formal agree-
13 ment concluded pursuant to subsection (a) shall be sus-
14 pended until the date on which the Secretary of Defense
15 is able to recertify the partner country.

16 “(d) DEFINITIONS.—In this section:

17 “(1) APPROPRIATE COMMITTEES OF CON-
18 GRESS.—The term ‘appropriate committees of Con-
19 gress’ means—

20 “(A) the congressional defense committees;
21 and

22 “(B) the Committee on Foreign Relations
23 of the Senate and the Committee on Foreign
24 Affairs of the House of Representatives.

1 “(2) PARTNER COUNTRY.—The term ‘partner
2 country’ means any of the following:

3 “(A) A member country of the North At-
4 lantic Treaty Organization.

5 “(B) Australia.

6 “(C) Japan.

7 “(D) New Zealand.

8 “(E) The Republic of Korea.

9 “(F) Any other country designated as a
10 partner country by the Secretary of Defense,
11 with the concurrence of the Secretary of State,
12 for purposes of this section.

13 “(3) PATIENT MOVEMENT.—The term ‘patient
14 movement’ means the act or process of moving
15 wounded, ill, injured, or other persons (including
16 contaminated, contagious, and potentially exposed
17 patients) to obtain medical, surgical, mental health,
18 or dental care or treatment.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of such subchapter, as amended by sec-
21 tion 1241(b), is further amended by adding at the end
22 the following new item:

“2350p. Reciprocal patient movement agreements.”.

1 **SEC. 1282. EXTENSION OF AUTHORIZATION OF NON-CON-**
2 **VENTIONAL ASSISTED RECOVERY CAPABILI-**
3 **TIES.**

4 Subsection (g) of section 943 of the National Defense
5 Authorization Act for Fiscal Year 2009 (Public Law 110–
6 417; 122 Stat. 4578), as most recently amended by sec-
7 tion 1282(a) of the National Defense Authorization Act
8 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
9 2542) and as redesignated by section 1051(n)(1) of the
10 National Defense Authorization Act for Fiscal Year 2018
11 (Public Law 115–91; 131 Stat. 1564), is further amended
12 by striking “2021” and inserting “2024”.

13 **SEC. 1283. EXTENSION OF DEPARTMENT OF DEFENSE SUP-**
14 **PORT FOR STABILIZATION ACTIVITIES IN NA-**
15 **TIONAL SECURITY INTEREST OF THE UNITED**
16 **STATES.**

17 Section 1210A(h) of the National Defense Authoriza-
18 tion Act for Fiscal Year 2020 (Public Law 116–92) is
19 amended by striking “December 31, 2020” and inserting
20 “December 31, 2021”.

21 **SEC. 1284. NOTIFICATION WITH RESPECT TO WITHDRAWAL**
22 **OF MEMBERS OF THE ARMED FORCES PAR-**
23 **TICIPATING IN THE MULTINATIONAL FORCE**
24 **AND OBSERVERS IN EGYPT.**

25 (a) IN GENERAL.—Not later than 30 days before a
26 reduction in the total number of members of the Armed

1 Forces deployed to the Multinational Force and Observers
2 in Egypt to fewer than 430 such members of the Armed
3 Forces, the Secretary of Defense shall submit to the ap-
4 propriate committees of Congress a notification that in-
5 cludes the following:

6 (1) A detailed accounting of the number of
7 members of the Armed Forces to be withdrawn from
8 the Multinational Force and Observers in Egypt and
9 the capabilities that such members of the Armed
10 Forces provide in support of the mission.

11 (2) An explanation of national security interests
12 of the United States served by such a reduction and
13 an assessment of the effect, if any, such a reduction
14 is expected to have on the security of United States
15 partners in the region.

16 (3) A description of consultations by the Sec-
17 retary with the other countries that contribute mili-
18 tary forces to the Multinational Force and Observ-
19 ers, including Australia, Canada, Colombia, the
20 Czech Republic, Fiji, France, Italy, Japan, New
21 Zealand, Norway, the United Kingdom, and Uru-
22 guay, with respect to the planned force reduction
23 and the results of such consultations.

24 (4) An assessment of whether other countries,
25 including the countries that contribute military

1 forces to the Multinational Force and Observers, will
2 increase their contributions of military forces to
3 compensate for the capabilities withdrawn by the
4 United States.

5 (5) An explanation of—

6 (A) any anticipated negative impact of
7 such a reduction on the ability of the Multi-
8 national Force and Observers in Egypt to fulfill
9 its mission of supervising the implementation of
10 the security provisions of the 1979 Treaty of
11 Peace between Egypt and Israel and employing
12 best efforts to prevent any violation of the
13 terms of such treaty; and

14 (B) the manner in which any such negative
15 impact will be mitigated.

16 (6) Any other matter the Secretary considers
17 appropriate.

18 (b) FORM.—The notification required by subsection
19 (a) shall be submitted in unclassified form, but may in-
20 clude a classified annex.

21 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
22 FINED.—In this section, the term “appropriate commit-
23 tees of Congress” means—

24 (1) the congressional defense committees; and

1 (2) the Committee on Foreign Relations of the
2 Senate and the Committee on Foreign Affairs of the
3 House of Representatives.

4 **SEC. 1285. MODIFICATION TO INITIATIVE TO SUPPORT PRO-**
5 **TECTION OF NATIONAL SECURITY ACADEMIC**
6 **RESEARCHERS FROM UNDUE INFLUENCE**
7 **AND OTHER SECURITY THREATS.**

8 Section 1286 of the John S. McCain National De-
9 fense Authorization Act for Fiscal Year 2019 (10 U.S.C.
10 2358 note) is amended—

11 (1) in subsection (c)(2)—

12 (A) in subparagraph (A), by striking “;
13 and” and inserting a semicolon;

14 (B) in subparagraph (B), by striking the
15 period at the end and inserting “; and”; and

16 (C) by adding at the end the following new
17 subparagraph:

18 “(C) includes requirements for appropriate
19 senior officials of institutions of higher edu-
20 cation to receive from appropriate Government
21 agencies updated and periodic briefings that de-
22 scribe the espionage risks posed by technical in-
23 telligence gathering activities of near-peer stra-
24 tegic competitors.”; and

1 (2) in subsection (e)(2)(D), by striking “im-
2 prove” and inserting “improved”.

3 **SEC. 1286. ESTABLISHMENT OF UNITED STATES-ISRAEL OP-**
4 **ERATIONS-TECHNOLOGY WORKING GROUP.**

5 (a) SENSE OF SENATE.—It is the sense of the Senate
6 that—

7 (1) the United States Government has a re-
8 sponsibility to undertake all reasonable measures to
9 ensure that members of the Armed Forces never
10 confront a more technologically advanced foe;

11 (2) the United States and Israel have several
12 cooperative technology programs to develop and field
13 capabilities in missile defense, countertunneling, and
14 counterunmanned aerial systems; and

15 (3) building on positive ongoing efforts, the
16 United States and Israel should further institu-
17 tionalize and strengthen their defense innovation
18 partnership by establishing a United States-Israel
19 Operations-Technology Working Group to identify
20 and expeditiously field capabilities that the military
21 forces of both countries need to deter and defeat re-
22 spective adversaries.

23 (b) UNITED STATES-ISRAEL OPERATIONS-TECH-
24 NOLOGY WORKING GROUP.—

1 (1) IN GENERAL.—Not later than one year
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense, in consultation with the Minister
4 of Defense of Israel, shall establish a United States-
5 Israel Operations-Technology Working Group (in
6 this subsection referred to as the “Working Group”)
7 for the following purposes:

8 (A) To provide a standing forum for the
9 United States and Israel to systematically share
10 intelligence-informed military capability require-
11 ments.

12 (B) To identify military capability require-
13 ments common to both the Department of De-
14 fense and the Ministry of Defense of Israel.

15 (C) To assist defense suppliers in the
16 United States and Israel, by incorporating rec-
17 ommendations from such defense suppliers,
18 with respect to conducting joint science, tech-
19 nology, research, development, test, evaluation,
20 and production efforts.

21 (D) To develop, as feasible and advisable,
22 combined United States-Israel plans to re-
23 search, develop, procure, and field weapons sys-
24 tems and military capabilities as quickly and
25 economically as possible to meet common capa-

1 bility requirements of the Department of De-
2 fense and the Ministry of Defense of Israel.

3 (2) WORKING GROUP LEADERSHIP.—

4 (A) UNITED STATES LEADERSHIP.—With
5 respect to the United States, the Working
6 Group shall be headed by—

7 (i) the Secretary, or a designee; and
8 (ii) the Chairman of the Joint Chiefs
9 of Staff, or a designee.

10 (B) ISRAEL LEADERSHIP.—The Secretary
11 shall invite the Government of Israel to des-
12 ignate the head of the appropriate office or of-
13 fices to head the Working Group with respect
14 to Israel.

15 (3) WORKING GROUP MEMBERSHIP.—

16 (A) UNITED STATES MEMBERSHIP.—The
17 Secretary, in consultation with other Cabinet
18 members, shall designate one or more individ-
19 uals to serve as members of the Working
20 Group.

21 (i) MANDATORY UNITED STATES MEM-
22 BERS.—The membership of the Working
23 Group shall consist of, at a minimum, rep-
24 resentatives from—

1 (I) the Office of the Secretary of
2 Defense;

3 (II) the Joint Staff;

4 (III) each of the military depart-
5 ments (including, as appropriate, sub-
6 ordinate entities such as Army Fu-
7 tures Command and research labora-
8 tories);

9 (IV) the defense agencies (includ-
10 ing the Defense Advanced Research
11 Projects Agency, the Defense Intel-
12 ligence Agency, and the Defense Secu-
13 rity Cooperation Agency);

14 (V) United States Central Com-
15 mand; and

16 (VI) United States European
17 Command.

18 (ii) RULE OF CONSTRUCTION.—Noth-
19 ing in this subparagraph shall be construed
20 as limiting the ability of the Secretary to
21 add members to the Working Group, as
22 considered appropriate.

23 (B) ISRAEL MEMBERSHIP.—The Secretary
24 shall invite such representatives of the Govern-
25 ment of Israel to designate individuals from the

1 Government of Israel to serve as members of
2 the Working Group, as the Secretary considers
3 appropriate.

4 (4) EXISTING EFFORTS.—

5 (A) IN GENERAL.—The Secretary shall de-
6 termine the most efficient and effective means
7 to integrate the Working Group into existing
8 United States science and technology efforts
9 and research, development, test, and evaluation
10 efforts with Israel.

11 (B) RULE OF CONSTRUCTION.—Nothing in
12 this subsection shall be construed as requiring
13 the termination of any existing United States
14 defense activity, group, program, or partnership
15 with Israel.

16 (5) MEMORANDUM OF UNDERSTANDING.—

17 (A) IN GENERAL.—The Secretary shall,
18 with the concurrence of the Minister of Defense
19 of Israel, establish a memorandum of under-
20 standing between the United States and Israel
21 establishing the United States-Israel Operations
22 Technology Working Group.

23 (B) MATTERS TO BE INCLUDED.—The
24 memorandum of understanding under subpara-
25 graph (A) shall set forth—

- 1 (i) the purposes of the Working
2 Group, consistent with paragraph (1);
3 (ii) the membership of the Working
4 Group, consistent with paragraph (3); and
5 (iii) any other matter considered ap-
6 propriate.

7 (6) REPORTS.—

8 (A) INITIAL REPORT.—

9 (i) IN GENERAL.—Not later than 180
10 days after the establishment of the Work-
11 ing Group, the Secretary shall submit to
12 the appropriate committees of Congress an
13 initial report on the Working Group.

14 (ii) ELEMENTS.—The report required
15 by clause (i) shall include the following:

16 (I) The finalized memorandum of
17 understanding under paragraph (5).

18 (II) The name of each individual
19 of the Government of the United
20 States and of the Government of
21 Israel designated to lead the Working
22 Group.

23 (III) The name of each member
24 of the Working Group designated

1 under subparagraph (A) or (B) of
2 paragraph (3).

3 (IV) A description of the manner
4 in which the Working Group is antici-
5 pated to complement and augment ex-
6 isting science and technology efforts
7 and research, development, test, and
8 evaluation efforts with Israel.

9 (V) A schedule for Working
10 Group meetings.

11 (VI) A description of key metrics
12 and milestones for the Working
13 Group.

14 (VII) A description of any au-
15 thority or authorization of appropria-
16 tions required for the Working Group
17 to carry out the purposes described in
18 paragraph (1).

19 (iii) FORM.—The report required by
20 clause (i) shall be submitted in unclassified
21 form, but may include a classified annex.

22 (B) ANNUAL REPORT.—

23 (i) IN GENERAL.—Not later than
24 March 15 of each year following the sub-
25 mittal of the initial report required by sub-

1 paragraph (A), the Secretary shall submit
2 to the appropriate committees of Congress
3 a report on the activities of the Working
4 Group during the preceding calendar year.

5 (ii) ELEMENTS.—The report required
6 by clause (i) shall include the following:

7 (I) A summary of the perform-
8 ance of the Working Group—

9 (aa) with respect to the first
10 annual report under this sub-
11 paragraph, the metrics and mile-
12 stones described in the initial re-
13 port in accordance with subpara-
14 graph (A)(ii)(VI); or

15 (bb) with respect to each
16 subsequent annual report under
17 this subparagraph, the metrics
18 and milestones described in the
19 preceding annual report under
20 subclause (VIII).

21 (II) A description of military ca-
22 pabilities needed by both the United
23 States and Israel.

24 (III) A description of any United
25 States, or any United States-Israel,

1 science and technology efforts, or re-
2 search, development, test, and evalua-
3 tion efforts, associated with the mili-
4 tary capabilities described under sub-
5 clause (II) carried out during the re-
6 porting period.

7 (IV) A description of any obsta-
8 cle or challenge associated with an ef-
9 fort described in subclause (III) and
10 the plan of the Working Group to ad-
11 dress such obstacle or challenge.

12 (V) A description of any request
13 to the Working Group made by a
14 United States or Israel defense sup-
15 plier for combined science and tech-
16 nology efforts or combined research,
17 development, test, and evaluation ef-
18 forts, including—

19 (aa) the date on which the
20 request was received;

21 (bb) the efforts made by the
22 Working Group to expeditiously
23 address the request; and

24 (cc) the status of any deci-
25 sion associated with the request.

1 (VI) A description of the efforts
2 of the Working Group to prevent the
3 People's Republic of China or the
4 Russian Federation from obtaining in-
5 tellectual property or military tech-
6 nology associated with combined
7 United States and Israel science and
8 technology efforts and research, devel-
9 opment, test, and evaluation efforts.

10 (VII) A description of any
11 science and technology effort, or re-
12 search, development, test, or evalua-
13 tion effort, facilitated by the Working
14 Group, including efforts that result in
15 a United States or Israel program of
16 record.

17 (VIII) A description of metrics
18 and milestones for the Working Group
19 for the following calendar year.

20 (iii) FORM.—Each report required by
21 clause (i) shall be submitted in unclassified
22 form and shall include a classified annex in
23 which the elements required under sub-
24 clauses (II) and (VI) of clause (ii) shall be
25 addressed.

1 (C) APPROPRIATE COMMITTEES OF CON-
2 GRESS DEFINED.—In this paragraph, the term
3 “appropriate committees of Congress” means—

4 (i) the Committee on Armed Services,
5 the Committee on Foreign Relations, and
6 the Select Committee on Intelligence of the
7 Senate; and

8 (ii) the Committee on Armed Services,
9 the Committee on Foreign Affairs, and the
10 Permanent Select Committee on Intel-
11 ligence of the House of Representatives.

12 **SEC. 1287. IMPROVED COORDINATION OF UNITED STATES**
13 **SANCTIONS POLICY.**

14 (a) OFFICE OF SANCTIONS COORDINATION OF THE
15 DEPARTMENT OF STATE.—

16 (1) IN GENERAL.—Section 1 of the State De-
17 partment Basic Authorities Act of 1956 (22 U.S.C.
18 2651a) is amended—

19 (A) by redesignating subsection (g) as sub-
20 section (h); and

21 (B) by inserting after subsection (f) the
22 following:

23 “(g) OFFICE OF SANCTIONS COORDINATION.—

24 “(1) IN GENERAL.—There is established, within
25 the Department of State, an Office of Sanctions Co-

1 ordination (in this subsection referred to as the ‘Of-
2 fice’).

3 “(2) HEAD.—The head of the Office shall—

4 “(A) have the rank and status of ambas-
5 sador;

6 “(B) be appointed by the President, by
7 and with the advice and consent of the Senate;
8 and

9 “(C) report directly to the Secretary.

10 “(3) DUTIES.—The head of the Office shall—

11 “(A) exercise sanctions authorities dele-
12 gated to the Secretary;

13 “(B) serve as the principal advisor to the
14 senior management of the Department and the
15 Secretary regarding the development and imple-
16 mentation of sanctions policy;

17 “(C) serve as the lead representative of the
18 United States in diplomatic engagement on
19 sanctions matters;

20 “(D) consult and closely coordinate with
21 allies and partners of the United States, includ-
22 ing the United Kingdom, the European Union
23 and member countries of the European Union,
24 Canada, Australia, New Zealand, Japan, and
25 South Korea, to ensure the maximum effective-

1 ness of sanctions imposed by the United States
2 and such allies and partners;

3 “(E) serve as the coordinator for the devel-
4 opment and implementation of sanctions policy
5 with respect to all activities, policies, and pro-
6 grams of all bureaus and offices of the Depart-
7 ment relating to the development and imple-
8 mentation of sanctions policy; and

9 “(F) serve as the lead representative of the
10 Department in interagency discussions with re-
11 spect to the development and implementation of
12 sanctions policy.

13 “(4) DIRECT HIRE AUTHORITY.—The head of
14 the Office may appoint, without regard to the provi-
15 sions of sections 3309 through 3318 of title 5,
16 United States Code, candidates directly to positions
17 in the competitive service, as defined in section 2102
18 of that title, in the Office.”.

19 (2) BRIEFING REQUIRED.—Not later than 60
20 days after the date of the enactment of this Act, and
21 every 90 days thereafter until the date that is 2
22 years after such date of enactment, the Secretary of
23 State shall brief the appropriate congressional com-
24 mittees on the efforts of the Department of State to
25 establish the Office of Sanctions Coordination pursu-

1 ant to section 1(g) of the State Department Basic
2 Authorities Act of 1956, as amended by paragraph
3 (1), including a description of—

4 (A) measures taken to implement the re-
5 quirements of that section and to establish the
6 Office;

7 (B) actions taken by the Office to carry
8 out the duties listed in paragraph (3) of that
9 section;

10 (C) the resources devoted to the Office, in-
11 cluding the number of employees working in the
12 Office; and

13 (D) plans for the use of the direct hire au-
14 thority provided under paragraph (4) of that
15 section.

16 (b) COORDINATION WITH ALLIES AND PARTNERS OF
17 THE UNITED STATES.—

18 (1) IN GENERAL.—The Secretary of State shall
19 develop and implement mechanisms and programs,
20 as appropriate, through the head of the Office of
21 Sanctions Coordination established pursuant to sec-
22 tion 1(g) of the State Department Basic Authorities
23 Act of 1956, as amended by subsection (a)(1), to co-
24 ordinate the development and implementation of
25 United States sanctions policies with allies and part-

1 ners of the United States, including the United
2 Kingdom, the European Union and member coun-
3 tries of the European Union, Canada, Australia,
4 New Zealand, Japan, and South Korea.

5 (2) INFORMATION SHARING.—The Secretary
6 should pursue the development and implementation
7 of mechanisms and programs under paragraph (1),
8 as appropriate, that involve the sharing of informa-
9 tion with respect to policy development and sanc-
10 tions implementation.

11 (3) CAPACITY BUILDING.—The Secretary
12 should pursue efforts, in coordination with the Sec-
13 retary of the Treasury and the head of any other
14 agency the Secretary considers appropriate, to assist
15 allies and partners of the United States, including
16 the countries specified in paragraph (1), as appro-
17 priate, in the development of their legal and tech-
18 nical capacities to develop and implement sanctions
19 authorities.

20 (4) EXCHANGE PROGRAMS.—In furtherance of
21 the efforts described in paragraph (3), the Sec-
22 retary, in coordination with the Secretary of the
23 Treasury and the head of any other agency the Sec-
24 retary considers appropriate, may enter into agree-
25 ments with counterpart agencies in foreign govern-

1 ments establishing exchange programs for the tem-
2 porary detail of government employees to share in-
3 formation and expertise with respect to the develop-
4 ment and implementation of sanctions authorities.

5 (5) BRIEFING REQUIRED.—Not later than 90
6 days after the date of the enactment of this Act, and
7 every 180 days thereafter until the date that is 5
8 years after such date of enactment, the Secretary of
9 State shall brief the appropriate congressional com-
10 mittees on the efforts of the Department of State to
11 implement this section, including a description of—

12 (A) measures taken to implement para-
13 graph (1);

14 (B) actions taken pursuant to paragraphs
15 (2) through (4);

16 (C) the extent of coordination between the
17 United States and allies and partners of the
18 United States, including the countries specified
19 in paragraph (1), with respect to the develop-
20 ment and implementation of sanctions policy;
21 and

22 (D) obstacles preventing closer coordina-
23 tion between the United States and such allies
24 and partners with respect to the development
25 and implementation of sanctions policy.

1 (c) SENSE OF CONGRESS.—It is the sense of the Con-
 2 gress that the President should appoint a coordinator for
 3 sanctions and national economic security issues within the
 4 framework of the National Security Council.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
 6 DEFINED.—In this section, the term “appropriate con-
 7 gressional committees” means—

8 (1) the Committee on Foreign Relations, the
 9 Committee on Banking, Housing, and Urban Af-
 10 fairs, and the Committee on Finance of the Senate;
 11 and

12 (2) the Committee on Foreign Affairs, the
 13 Committee on Financial Services, and the Com-
 14 mittee on Way and Means of the House of Rep-
 15 resentatives.

16 **Subtitle H—Robert Levinson Hos-**
 17 **tage Recovery and Hostage-Tak-**
 18 **ing Accountability Act**

19 **SEC. 1291. SHORT TITLE.**

20 This subtitle may be cited as the “Robert Levinson
 21 Hostage Recovery and Hostage-Taking Accountability
 22 Act”.

1 **SEC. 1292. ASSISTANCE FOR UNITED STATES NATIONALS**
2 **UNLAWFULLY OR WRONGFULLY DETAINED**
3 **ABROAD.**

4 (a) REVIEW.—The Secretary of State shall review the
5 cases of United States nationals detained abroad to deter-
6 mine if there is credible information that they are being
7 detained unlawfully or wrongfully, based on criteria which
8 may include whether—

9 (1) United States officials receive or possess
10 credible information indicating innocence of the de-
11 tained individual;

12 (2) the individual is being detained solely or
13 substantially because he or she is a United States
14 national;

15 (3) the individual is being detained solely or
16 substantially to influence United States Government
17 policy or to secure economic or political concessions
18 from the United States Government;

19 (4) the detention appears to be because the in-
20 dividual sought to obtain, exercise, defend, or pro-
21 mote freedom of the press, freedom of religion, or
22 the right to peacefully assemble;

23 (5) the individual is being detained in violation
24 of the laws of the detaining country;

1 (6) independent nongovernmental organizations
2 or journalists have raised legitimate questions about
3 the innocence of the detained individual;

4 (7) the United States mission in the country
5 where the individual is being detained has received
6 credible reports that the detention is a pretext for an
7 illegitimate purpose;

8 (8) the individual is detained in a country
9 where the Department of State has determined in its
10 annual human rights reports that the judicial system
11 is not independent or impartial, is susceptible to cor-
12 ruption, or is incapable of rendering just verdicts;

13 (9) the individual is being detained in inhumane
14 conditions;

15 (10) due process of law has been sufficiently
16 impaired so as to render the detention arbitrary; and

17 (11) United States diplomatic engagement is
18 likely necessary to secure the release of the detained
19 individual.

20 (b) REFERRALS TO THE SPECIAL ENVOY.—Upon a
21 determination by the Secretary of State, based on the to-
22 tality of the circumstances, that there is credible informa-
23 tion that the detention of a United States national abroad
24 is unlawful or wrongful, and regardless of whether the de-
25 tention is by a foreign government or a nongovernmental

1 actor, the Secretary shall transfer responsibility for such
2 case from the Bureau of Consular Affairs of the Depart-
3 ment of State to the Special Envoy for Hostage Affairs
4 created pursuant to section 1293.

5 (c) REPORT.—

6 (1) ANNUAL REPORT.—

7 (A) IN GENERAL.—The Secretary of State
8 shall submit to the appropriate congressional
9 committees an annual report with respect to
10 United States nationals for whom the Secretary
11 determines there is credible information of un-
12 lawful or wrongful detention abroad.

13 (B) FORM.—The report required under
14 this paragraph shall be submitted in unclassi-
15 fied form, but may include a classified annex if
16 necessary.

17 (2) COMPOSITION.—The report required under
18 paragraph (1) shall include current estimates of the
19 number of individuals so detained, as well as rel-
20 evant information about particular cases, such as—

21 (A) the name of the individual, unless the
22 provision of such information is inconsistent
23 with section 552a of title 5, United States Code
24 (commonly known as the “Privacy Act of
25 1974”);

1 (B) basic facts about the case;

2 (C) a summary of the information that
3 such individual may be detained unlawfully or
4 wrongfully;

5 (D) a description of specific efforts, legal
6 and diplomatic, taken on behalf of the indi-
7 vidual since the last reporting period, including
8 a description of accomplishments and setbacks;
9 and

10 (E) a description of intended next steps.

11 (d) RESOURCE GUIDANCE.—

12 (1) ESTABLISHMENT.—Not later than 180 days
13 after the date of the enactment of this Act and after
14 consulting with relevant organizations that advocate
15 on behalf of United States nationals detained abroad
16 and the Family Engagement Coordinator established
17 pursuant to section 1294(c)(2), the Secretary of
18 State shall provide resource guidance in writing for
19 government officials and families of unjustly or
20 wrongfully detained individuals.

21 (2) CONTENT.—The resource guidance required
22 under paragraph (1) should include—

23 (A) information to help families under-
24 stand United States policy concerning the re-

1 lease of United States nationals unlawfully or
2 wrongfully held abroad;

3 (B) contact information for officials in the
4 Department of State or other government agen-
5 cies suited to answer family questions;

6 (C) relevant information about options
7 available to help families obtain the release of
8 unjustly or wrongfully detained individuals,
9 such as guidance on how families may engage
10 with United States diplomatic and consular
11 channels to ensure prompt and regular access
12 for the detained individual to legal counsel,
13 family members, humane treatment, and other
14 services;

15 (D) guidance on submitting public or pri-
16 vate letters from members of Congress or other
17 individuals who may be influential in securing
18 the release of an individual; and

19 (E) appropriate points of contacts, such as
20 legal resources and counseling services, who
21 have a record of assisting victims' families.

22 **SEC. 1293. SPECIAL ENVOY FOR HOSTAGE AFFAIRS.**

23 (a) ESTABLISHMENT.—There shall be a Special Pres-
24 idential Envoy for Hostage Affairs, appointed by the
25 President, who shall report to the Secretary of State.

1 (b) RANK.—The Special Envoy shall have the rank
2 and status of ambassador.

3 (c) RESPONSIBILITIES.—The Special Presidential
4 Envoy for Hostage Affairs shall—

5 (1) lead diplomatic engagement on United
6 States hostage policy;

7 (2) coordinate all diplomatic engagements and
8 strategy in support of hostage recovery efforts, in
9 coordination with the Hostage Recovery Fusion Cell
10 and consistent with policy guidance communicated
11 through the Hostage Response Group;

12 (3) in coordination with the Hostage Recovery
13 Fusion Cell as appropriate, coordinate diplomatic
14 engagements regarding cases in which a foreign gov-
15 ernment has detained a United States national and
16 the United States Government regards such deten-
17 tion as unlawful or wrongful;

18 (4) provide senior representation from the Spe-
19 cial Envoy’s office to the Hostage Recovery Fusion
20 Cell established under section 1294 and the Hostage
21 Response Group established under section 1295; and

22 (5) ensure that families of United States na-
23 tionals unlawfully or wrongly detained abroad re-
24 ceive updated information about developments in
25 cases and government policy.

1 **SEC. 1294. HOSTAGE RECOVERY FUSION CELL.**

2 (a) ESTABLISHMENT.—The President shall establish
3 an interagency Hostage Recovery Fusion Cell.

4 (b) PARTICIPATION.—The President shall direct the
5 heads of each of the following executive departments,
6 agencies, and offices to make available personnel to par-
7 ticipate in the Hostage Recovery Fusion Cell:

8 (1) The Department of State.

9 (2) The Department of the Treasury.

10 (3) The Department of Defense.

11 (4) The Department of Justice.

12 (5) The Office of the Director of National Intel-
13 ligence.

14 (6) The Federal Bureau of Investigation.

15 (7) The Central Intelligence Agency.

16 (8) Other agencies as the President, from time
17 to time, may designate.

18 (c) PERSONNEL.—The Hostage Recovery Fusion Cell
19 shall include—

20 (1) a Director, who shall be a full-time senior
21 officer or employee of the United States Govern-
22 ment;

23 (2) a Family Engagement Coordinator who
24 shall—

25 (A) work to ensure that all interactions by
26 executive branch officials with a hostage's fam-

1 ily occur in a coordinated fashion and that the
2 family receives consistent and accurate informa-
3 tion from the United States Government; and

4 (B) if directed, perform the same function
5 as set out in subparagraph (A) with regard to
6 the family of a United States national who is
7 unlawfully or wrongfully detained abroad; and

8 (3) other officers and employees as deemed ap-
9 propriate by the President.

10 (d) DUTIES.—The Hostage Recovery Fusion Cell
11 shall—

12 (1) coordinate efforts by participating agencies
13 to ensure that all relevant information, expertise,
14 and resources are brought to bear to secure the safe
15 recovery of United States nationals held hostage
16 abroad;

17 (2) if directed, coordinate the United States
18 Government’s response to other hostage-takings oc-
19 curring abroad in which the United States has a na-
20 tional interest;

21 (3) if directed, coordinate or assist the United
22 States Government’s response to help secure the re-
23 lease of United States nationals unlawfully or
24 wrongfully detained abroad; and

1 (4) pursuant to policy guidance coordinated
2 through the National Security Council—

3 (A) identify and recommend hostage recov-
4 ery options and strategies to the President
5 through the National Security Council or the
6 Deputies Committee of the National Security
7 Council;

8 (B) coordinate efforts by participating
9 agencies to ensure that information regarding
10 hostage events, including potential recovery op-
11 tions and engagements with families and exter-
12 nal actors (including foreign governments), is
13 appropriately shared within the United States
14 Government to facilitate a coordinated response
15 to a hostage-taking;

16 (C) assess and track all hostage-takings of
17 United States nationals abroad and provide reg-
18 ular reports to the President and Congress on
19 the status of such cases and any measures
20 being taken toward the hostages' safe recovery;

21 (D) provide a forum for intelligence shar-
22 ing and, with the support of the Director of Na-
23 tional Intelligence, coordinate the declassifica-
24 tion of relevant information;

1 (E) coordinate efforts by participating
2 agencies to provide appropriate support and as-
3 sistance to hostages and their families in a co-
4 ordinated and consistent manner and to provide
5 families with timely information regarding sig-
6 nificant events in their cases;

7 (F) make recommendations to agencies in
8 order to reduce the likelihood of United States
9 nationals' being taken hostage abroad and en-
10 hance United States Government preparation to
11 maximize the probability of a favorable outcome
12 following a hostage-taking; and

13 (G) coordinate with agencies regarding
14 congressional, media, and other public inquiries
15 pertaining to hostage events.

16 (e) ADMINISTRATION.—The Hostage Recovery Fu-
17 sion Cell shall be located within the Federal Bureau of
18 Investigation for administrative purposes.

19 **SEC. 1295. HOSTAGE RESPONSE GROUP.**

20 (a) ESTABLISHMENT.—The President shall establish
21 a Hostage Response Group, chaired by a designated mem-
22 ber of the National Security Council or the Deputies Com-
23 mittee of the National Security Council, to be convened
24 on a regular basis, to further the safe recovery of United
25 States nationals held hostage abroad or unlawfully or

1 wrongfully detained abroad, and to be tasked with coordi-
2 nating the United States Government response to other
3 hostage-takings occurring abroad in which the United
4 States has a national interest.

5 (b) MEMBERSHIP.—The regular members of the Hos-
6 tage Response Group shall include the Director of the
7 Hostage Recovery Fusion Cell, the Hostage Recovery Fu-
8 sion Cell’s Family Engagement Coordinator, the Special
9 Envoy appointed pursuant to section 1293, and represent-
10 atives from the Department of the Treasury, the Depart-
11 ment of Defense, the Department of Justice, the Federal
12 Bureau of Investigation, the Office of the Director of Na-
13 tional Intelligence, the Central Intelligence Agency, and
14 other agencies as the President, from time to time, may
15 designate.

16 (c) DUTIES.—The Hostage Recovery Group shall—

17 (1) identify and recommend hostage recovery
18 options and strategies to the President through the
19 National Security Council;

20 (2) coordinate the development and implemen-
21 tation of United States hostage recovery policies,
22 strategies, and procedures;

23 (3) receive regular updates from the Hostage
24 Recovery Fusion Cell and the Special Envoy for
25 Hostage Affairs on the status of United States na-

1 tionals being held hostage or unlawfully or wrong-
2 fully detained abroad and measures being taken to
3 effect safe recoveries;

4 (4) coordinate the provision of policy guidance
5 to the Hostage Recovery Fusion Cell, including re-
6 viewing recovery options proposed by the Hostage
7 Recovery Fusion Cell and working to resolve dis-
8 putes within the Hostage Recovery Fusion Cell;

9 (5) as appropriate, direct the use of resources
10 at the Hostage Recovery Fusion Cell to coordinate
11 or assist in the safe recovery of United States na-
12 tionals unlawfully or wrongfully detained abroad;
13 and

14 (6) as appropriate, direct the use of resources
15 at the Hostage Recovery Fusion Cell to coordinate
16 the United States Government response to other
17 hostage-takings occurring abroad in which the
18 United States has a national interest.

19 (d) MEETINGS.—The Hostage Response Group shall
20 meet regularly.

21 (e) REPORTING.—The Hostage Response Group shall
22 regularly provide recommendations on hostage recovery
23 options and strategies to the National Security Council.

1 **SEC. 1296. AUTHORIZATION OF IMPOSITION OF SANCTIONS.**

2 (a) IN GENERAL.—The President may impose the
3 sanctions described in subsection (b) with respect to any
4 foreign person the President determines, based on credible
5 evidence—

6 (1) is responsible for or is complicit in, or re-
7 sponsible for ordering, controlling, or otherwise di-
8 recting, the hostage-taking of a United States na-
9 tional abroad or the unlawful or wrongful detention
10 of a United States national abroad; or

11 (2) knowingly provides financial, material, or
12 technological support for, or goods or services in
13 support of, an activity described in paragraph (1).

14 (b) SANCTIONS DESCRIBED.—The sanctions de-
15 scribed in this subsection are the following:

16 (1) INELIGIBILITY FOR VISAS, ADMISSION, OR
17 PAROLE.—

18 (A) VISAS, ADMISSION, OR PAROLE.—An
19 alien described in subsection (a) may be—

20 (i) inadmissible to the United States;

21 (ii) ineligible to receive a visa or other
22 documentation to enter the United States;

23 and

24 (iii) otherwise ineligible to be admitted
25 or paroled into the United States or to re-
26 ceive any other benefit under the Immigra-

1 tion and Nationality Act (8 U.S.C. 1101 et
2 seq.).

3 (B) CURRENT VISAS REVOKED.—

4 (i) IN GENERAL.—An alien described
5 in subsection (a) may be subject to revoca-
6 tion of any visa or other entry documenta-
7 tion regardless of when the visa or other
8 entry documentation is or was issued.

9 (ii) IMMEDIATE EFFECT.—A revoca-
10 tion under clause (i) may—

11 (I) take effect immediately; and

12 (II) cancel any other valid visa or
13 entry documentation that is in the
14 alien's possession.

15 (2) BLOCKING OF PROPERTY.—

16 (A) IN GENERAL.—The President may ex-
17 ercise all of the powers granted to the President
18 under the International Emergency Economic
19 Powers Act (50 U.S.C. 1701 et seq.), to the ex-
20 tent necessary to block and prohibit all trans-
21 actions in property and interests in property of
22 a foreign person described in subsection (a) if
23 such property and interests in property are in
24 the United States, come within the United

1 States, or are or come within the possession or
2 control of a United States person.

3 (B) INAPPLICABILITY OF NATIONAL EMER-
4 GENCY REQUIREMENT.—The requirements of
5 section 202 of the International Emergency
6 Economic Powers Act (50 U.S.C. 1701) shall
7 not apply for purposes of this section.

8 (c) EXCEPTIONS.—

9 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-
10 TIES.—Sanctions under this section shall not apply
11 to any activity subject to the reporting requirements
12 under title V of the National Security Act of 1947
13 (50 U.S.C. 3091 et seq.) or any authorized intel-
14 ligence activities of the United States.

15 (2) EXCEPTION TO COMPLY WITH INTER-
16 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
17 MENT ACTIVITIES.—Sanctions under subsection
18 (b)(1) shall not apply with respect to an alien if ad-
19 mitting or paroling the alien into the United States
20 is necessary—

21 (A) to permit the United States to comply
22 with the Agreement regarding the Head-
23 quarters of the United Nations, signed at Lake
24 Success June 26, 1947, and entered into force
25 November 21, 1947, between the United Na-

1 tions and the United States, or other applicable
2 international obligations; or

3 (B) to carry out or assist law enforcement
4 activity in the United States.

5 (d) PENALTIES.—A person that violates, attempts to
6 violate, conspires to violate, or causes a violation of sub-
7 section (b)(2) or any regulation, license, or order issued
8 to carry out that subsection shall be subject to the pen-
9 alties set forth in subsections (b) and (c) of section 206
10 of the International Emergency Economic Powers Act (50
11 U.S.C. 1705) to the same extent as a person that commits
12 an unlawful act described in subsection (a) of that section.

13 (e) TERMINATION OF SANCTIONS.—The President
14 may terminate the application of sanctions under this sec-
15 tion with respect to a person if the President determines
16 that—

17 (1) information exists that the person did not
18 engage in the activity for which sanctions were im-
19 posed;

20 (2) the person has been prosecuted appro-
21 priately for the activity for which sanctions were im-
22 posed;

23 (3) the person has credibly demonstrated a sig-
24 nificant change in behavior, has paid an appropriate
25 consequence for the activity for which sanctions were

1 imposed, and has credibly committed to not engage
2 in an activity described in subsection (a) in the fu-
3 ture; or

4 (4) the termination of the sanctions is in the
5 national security interests of the United States.

6 (f) REPORTING REQUIREMENT.—If the President
7 terminates sanctions pursuant to subsection (d), the Presi-
8 dent shall report to the appropriate congressional commit-
9 tees a written justification for such termination within 15
10 days.

11 (g) IMPLEMENTATION OF REGULATORY AUTHOR-
12 ITY.—The President may exercise all authorities provided
13 under sections 203 and 205 of the International Emer-
14 gency Economic Powers Act (50 U.S.C. 1702 and 1704)
15 to carry out this section.

16 (h) EXCEPTION RELATING TO IMPORTATION OF
17 GOODS.—

18 (1) IN GENERAL.—The authorities and require-
19 ments to impose sanctions authorized under this
20 subtitle shall not include the authority or a require-
21 ment to impose sanctions on the importation of
22 goods.

23 (2) GOOD DEFINED.—In this paragraph, the
24 term “good” means any article, natural or manmade
25 substance, material, supply or manufactured prod-

1 uct, including inspection and test equipment, and ex-
2 cluding technical data.

3 (i) DEFINITIONS.—In this section:

4 (1) FOREIGN PERSON.—The term “foreign per-
5 son” means—

6 (A) any citizen or national of a foreign
7 country (including any such individual who is
8 also a citizen or national of the United States);
9 or

10 (B) any entity not organized solely under
11 the laws of the United States or existing solely
12 in the United States.

13 (2) UNITED STATES PERSON.—The term
14 “United States person” means—

15 (A) an individual who is a United States
16 citizen or an alien lawfully admitted for perma-
17 nent residence to the United States;

18 (B) an entity organized under the laws of
19 the United States or any jurisdiction within the
20 United States, including a foreign branch of
21 such an entity; or

22 (C) any person in the United States.

23 **SEC. 1297. DEFINITIONS.**

24 In this subtitle:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations,
5 the Committee on Appropriations, the Com-
6 mittee on Banking, Housing, and Urban Af-
7 fairs, the Committee on the Judiciary, the Com-
8 mittee on Armed Services, and the Select Com-
9 mittee on Intelligence of the United States Sen-
10 ate; and

11 (B) the Committee on Foreign Affairs, the
12 Committee on Appropriations, the Committee
13 on Financial Services, the Committee on the
14 Judiciary, the Committee on Armed Services,
15 and the Permanent Select Committee on Intel-
16 ligence of the House of Representatives.

17 (2) UNITED STATES NATIONAL.—The term
18 “United States national” means—

19 (A) a United States national as defined in
20 section 101(a)(22) or section 308 of the Immi-
21 gration and Nationality Act (8 U.S.C.
22 1101(a)(22), 8 U.S.C. 1408); and

23 (B) a lawful permanent resident alien with
24 significant ties to the United States.

1 **SEC. 1298. RULE OF CONSTRUCTION.**

2 Nothing in this subtitle shall be construed to author-
3 ize a private right of action.

4 **TITLE XIII—COOPERATIVE**
5 **THREAT REDUCTION**

6 **SEC. 1301. FUNDING ALLOCATIONS FOR DEPARTMENT OF**
7 **DEFENSE COOPERATIVE THREAT REDUC-**
8 **TION PROGRAM.**

9 (a) IN GENERAL.—Of the \$288,490,000 authorized
10 to be appropriated to the Department of Defense for fiscal
11 year 2021 in section 301 and made available by the fund-
12 ing table in division D for the Department of Defense Co-
13 operative Threat Reduction Program established under
14 section 1321 of the Department of Defense Cooperative
15 Threat Reduction Act (50 U.S.C. 3711), the following
16 amounts may be obligated for the purposes specified:

17 (1) For strategic offensive arms elimination,
18 \$2,924,000.

19 (2) For chemical security and elimination,
20 \$11,806,000.

21 (3) For global nuclear security, \$20,152,000.

22 (4) For biological threat reduction,
23 \$177,396,000.

24 (5) For proliferation prevention, \$52,064,000.

25 (6) For activities designated as Other Assess-
26 ments/Administrative Costs, \$24,148,000.

1 (b) AVAILABILITY OF FUNDS.—Funds appropriated
2 pursuant to the authorization of appropriations in section
3 301 and made available by the funding table in division
4 D for the Department of Defense Cooperative Threat Re-
5 duction Program shall be available for obligation for fiscal
6 years 2021, 2022, and 2023.

7 **TITLE XIV—OTHER**
8 **AUTHORIZATIONS**
9 **Subtitle A—Military Programs**

10 **SEC. 1401. WORKING CAPITAL FUNDS.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2021 for the use of the Armed Forces and other
13 activities and agencies of the Department of Defense for
14 providing capital for working capital and revolving funds,
15 as specified in the funding table in section 4501.

16 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
17 **TION, DEFENSE.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
19 are hereby authorized to be appropriated for the Depart-
20 ment of Defense for fiscal year 2021 for expenses, not oth-
21 erwise provided for, for Chemical Agents and Munitions
22 Destruction, Defense, as specified in the funding table in
23 section 4501.

24 (b) USE.—Amounts authorized to be appropriated
25 under subsection (a) are authorized for—

1 (1) the destruction of lethal chemical agents
2 and munitions in accordance with section 1412 of
3 the Department of Defense Authorization Act, 1986
4 (50 U.S.C. 1521); and

5 (2) the destruction of chemical warfare materiel
6 of the United States that is not covered by section
7 1412 of such Act.

8 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
9 **TIVITIES, DEFENSE-WIDE.**

10 Funds are hereby authorized to be appropriated for
11 the Department of Defense for fiscal year 2021 for ex-
12 penses, not otherwise provided for, for Drug Interdiction
13 and Counter-Drug Activities, Defense-wide, as specified in
14 the funding table in section 4501.

15 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

16 Funds are hereby authorized to be appropriated for
17 the Department of Defense for fiscal year 2021 for ex-
18 penses, not otherwise provided for, for the Office of the
19 Inspector General of the Department of Defense, as speci-
20 fied in the funding table in section 4501.

21 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

22 Funds are hereby authorized to be appropriated for
23 fiscal year 2021 for the Defense Health Program, as spec-
24 ified in the funding table in section 4501, for use of the
25 Armed Forces and other activities and agencies of the De-

1 partment of Defense in providing for the health of eligible
2 beneficiaries.

3 **Subtitle B—Armed Forces**
4 **Retirement Home**

5 **SEC. 1411. AUTHORIZATION OF APPROPRIATIONS FOR**
6 **ARMED FORCES RETIREMENT HOME.**

7 There is hereby authorized to be appropriated for fis-
8 cal year 2021 from the Armed Forces Retirement Home
9 Trust Fund the sum of \$64,300,000 for the operation of
10 the Armed Forces Retirement Home.

11 **SEC. 1412. PERIODIC INSPECTIONS OF ARMED FORCES RE-**
12 **TIREMENT HOME FACILITIES BY NATION-**
13 **ALLY RECOGNIZED ACCREDITING ORGANIZA-**
14 **TION.**

15 (a) IN GENERAL.—Section 1518 of the Armed
16 Forces Retirement Home Act of 1991 (24 U.S.C. 418)
17 is amended to read as follows:

18 **“SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME**
19 **FACILITIES.**

20 “(a) INSPECTIONS.—The Chief Operating Officer
21 shall request the inspection of each facility of the Retire-
22 ment Home by a nationally recognized civilian accrediting
23 organization in accordance with section 1511(g) on a fre-
24 quency consistent with the standards of such organization.

1 “(b) AVAILABILITY OF STAFF AND RECORDS.—The
 2 Chief Operating Officer and the Administrator of a facility
 3 being inspected under this section shall make all staff,
 4 other personnel, and records of the facility available to the
 5 civilian accrediting organization in a timely manner for
 6 purposes of inspections under this section.

7 “(c) REPORTS.—Not later than 60 days after receiv-
 8 ing a report on an inspection from the civilian accrediting
 9 organization under this section, the Chief Operating Offi-
 10 cer shall submit to the Secretary of Defense, the Senior
 11 Medical Advisor, and the Advisory Council a report con-
 12 taining—

13 “(1) the results of the inspection; and

14 “(2) a plan to address any recommendations
 15 and other matters set forth in the report.”.

16 (b) CONFORMING AMENDMENTS.—The Armed
 17 Forces Retirement Home Act of 1991 (24 U.S.C. 401 et
 18 seq.) is further amended as follows:

19 (1) In section 1513A(c)(2) (24 U.S.C.
 20 413a(c)(2)), by striking “(including requirements
 21 identified in applicable reports of the Inspector Gen-
 22 eral of the Department of Defense)”.

23 (2) In section 1516(b)(3) (24 U.S.C.
 24 416(b)(3))—

1 (A) by striking “shall—” and all that fol-
2 lows through “provide for” and inserting “shall
3 provide for”;

4 (B) by striking “; and” and inserting a pe-
5 riod; and

6 (C) by striking subparagraph (B).

7 (3) In section 1517(e)(2) (24 U.S.C.
8 417(e)(2)), by striking “the Inspector General of the
9 Department of Defense,”.

10 **SEC. 1413. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT**
11 **THE ARMED FORCES RETIREMENT HOME.**

12 (a) EXPANSION OF ELIGIBILITY.—Section 1512(a) of
13 the Armed Forces Retirement Home Act of 1991 (24
14 U.S.C. 412(a)) is amended—

15 (1) in the matter preceding paragraph (1), by
16 striking “active” in the first sentence;

17 (2) in paragraph (1), by striking “are 60 years
18 of age or over and”; and

19 (3) by adding the following new paragraph:

20 “(5) Persons who are eligible for retired pay
21 under chapter 1223 of title 10, United States Code,
22 and—

23 “(A) are eligible for care under section
24 1710 of title 38, United States Code;

1 “(B) are enrolled in coverage under chap-
2 ter 55 of title 10, United States Code; or

3 “(C) are enrolled in a qualified health plan
4 acceptable to the Chief Operating Officer.”.

5 (b) PARITY OF FEES AND DEDUCTIONS.—Section
6 1514(c) of such Act (24 U.S.C. 414(c)) is amended—

7 (1) by striking paragraph (2) and inserting the
8 following new paragraph (2)

9 “(2)(A) The fee shall be fixed as a percentage of the
10 monthly income and monthly payments (including Federal
11 payments) received by a resident. The percentage shall be
12 the same for each facility of the Retirement Home. The
13 Secretary of Defense may make any adjustment in a per-
14 centage that the Secretary determines appropriate.

15 “(B) The calculation of monthly income and monthly
16 payments under subparagraph (A) for a resident eligible
17 under section 1512(a)(5) shall not be less than the retire-
18 ment pay for equivalent active duty service as determined
19 by the Chief Operating Officer, except as the Chief Oper-
20 ating Officer may provide because of compelling personal
21 circumstances.”; and

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

24 “(4) The Administrator of each facility of the Retire-
25 ment Home may collect a fee upon admission from a resi-

1 dent accepted under section 1512(a)(5) equal to the de-
 2 ductions then in effect under section 1007(i)(1) of title
 3 37, United States Code, for each year of non-regular serv-
 4 ice, and shall deposit such fee in the Armed Forces Retire-
 5 ment Home Trust Fund.”.

6 (c) CONFORMING AMENDMENT.—Section 1007(i)(3)
 7 of title 37, United States Code, is amended by striking
 8 “Armed Forces Retirement Home Board” and inserting
 9 “Chief Operating Officer of the Armed Forces Retirement
 10 Home”.

11 **Subtitle C—Other Matters**

12 **SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT** 13 **DEPARTMENT OF DEFENSE-DEPARTMENT OF** 14 **VETERANS AFFAIRS MEDICAL FACILITY DEM-** 15 **ONSTRATION FUND FOR CAPTAIN JAMES A.** 16 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

17 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the
 18 funds authorized to be appropriated by section 1405 and
 19 available for the Defense Health Program for operation
 20 and maintenance, \$130,400,000 may be transferred by the
 21 Secretary of Defense to the Joint Department of Defense–
 22 Department of Veterans Affairs Medical Facility Dem-
 23 onstration Fund established by subsection (a)(1) of sec-
 24 tion 1704 of the National Defense Authorization Act for
 25 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

1 (b) TREATMENT OF TRANSFERRED FUNDS.—For
2 purposes of subsection (a)(2) of such section 1704, any
3 funds transferred under subsection (a) shall be treated as
4 amounts authorized and appropriated specifically for the
5 purpose of such a transfer.

6 (c) USE OF TRANSFERRED FUNDS.—For purposes of
7 subsection (b) of such section 1704, facility operations for
8 which funds transferred under subsection (a) may be used
9 are operations of the Captain James A. Lovell Federal
10 Health Care Center, consisting of the North Chicago Vet-
11 erans Affairs Medical Center, the Navy Ambulatory Care
12 Center, and supporting facilities designated as a combined
13 Federal medical facility under an operational agreement
14 covered by section 706 of the Duncan Hunter National
15 Defense Authorization Act for Fiscal Year 2009 (Public
16 Law 110–417; 122 Stat. 4500).

17 **TITLE XV—AUTHORIZATION OF**
18 **ADDITIONAL APPROPRIA-**
19 **TIONS FOR OVERSEAS CON-**
20 **TINGENCY OPERATIONS**

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

23 **SEC. 1501. PURPOSE.**

24 The purpose of this subtitle is to authorize appropria-
25 tions for the Department of Defense for fiscal year 2021

1 to provide additional funds for overseas contingency oper-
2 ations being carried out by the Armed Forces.

3 **SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.**

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2021 for the Department of Defense for over-
6 seas contingency operations in such amounts as may be
7 designated as provided in section 251(b)(2)(A)(ii) of the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985 (2 U.S.C. 901(b)(2)(A)(ii)).

10 **SEC. 1503. PROCUREMENT.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2021 for procurement accounts for the Army,
13 the Navy and the Marine Corps, the Air Force, and De-
14 fense-wide activities, as specified in the funding table in
15 section 4102.

16 **SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
17 **TION.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2021 for the use of the Department of Defense
20 for research, development, test, and evaluation, as speci-
21 fied in the funding table in section 4202.

22 **SEC. 1505. OPERATION AND MAINTENANCE.**

23 Funds are hereby authorized to be appropriated for
24 fiscal year 2021 for the use of the Armed Forces and other
25 activities and agencies of the Department of Defense for

1 expenses, not otherwise provided for, for operation and
2 maintenance, as specified in the funding table in section
3 4302.

4 **SEC. 1506. MILITARY PERSONNEL.**

5 Funds are hereby authorized to be appropriated for
6 fiscal year 2021 for the use of the Armed Forces and other
7 activities and agencies of the Department of Defense for
8 expenses, not otherwise provided for, for military per-
9 sonnel, as specified in the funding table in section 4402.

10 **SEC. 1507. WORKING CAPITAL FUNDS.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2021 for the use of the Armed Forces and other
13 activities and agencies of the Department of Defense for
14 providing capital for working capital and revolving funds,
15 as specified in the funding table in section 4502.

16 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**
17 **TIVITIES, DEFENSE-WIDE.**

18 Funds are hereby authorized to be appropriated for
19 the Department of Defense for fiscal year 2021 for ex-
20 penses, not otherwise provided for, for Drug Interdiction
21 and Counter-Drug Activities, Defense-wide, as specified in
22 the funding table in section 4502.

23 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

24 Funds are hereby authorized to be appropriated for
25 the Department of Defense for fiscal year 2021 for ex-

1 penses, not otherwise provided for, for the Office of the
2 Inspector General of the Department of Defense, as speci-
3 fied in the funding table in section 4502.

4 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

5 Funds are hereby authorized to be appropriated for
6 the Department of Defense for fiscal year 2021 for ex-
7 penses, not otherwise provided for, for the Defense Health
8 Program, as specified in the funding table in section 4502.

9 **Subtitle B—Financial Matters**

10 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

11 The amounts authorized to be appropriated by this
12 title are in addition to amounts otherwise authorized to
13 be appropriated by this Act.

14 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

15 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

16 (1) **AUTHORITY.—**Upon determination by the
17 Secretary of Defense that such action is necessary in
18 the national interest, the Secretary may transfer
19 amounts of authorizations made available to the De-
20 partment of Defense in this title for fiscal year 2021
21 between any such authorizations for that fiscal year
22 (or any subdivisions thereof). Amounts of authoriza-
23 tions so transferred shall be merged with and be
24 available for the same purposes as the authorization
25 to which transferred.

1 (2) LIMITATION.—The total amount of author-
2 izations that the Secretary may transfer under the
3 authority of this subsection may not exceed
4 \$2,000,000,000.

5 (b) TERMS AND CONDITIONS.—Transfers under this
6 section shall be subject to the same terms and conditions
7 as transfers under section 1001.

8 (c) ADDITIONAL AUTHORITY.—The transfer author-
9 ity provided by this section is in addition to the transfer
10 authority provided under section 1001.

11 **Subtitle C—Other Matters**

12 **SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.**

13 (a) EXTENSION OF AVAILABILITY OF FUNDS FOR
14 SECURITY OF AFGHAN WOMEN.—Subsection (c)(1) of
15 section 1520 of the National Defense Authorization Act
16 for Fiscal Year 2020 (Public Law 116–92) is amended,
17 in the matter preceding subparagraph (A), by striking
18 “fiscal year 2020” and inserting “fiscal year 2021”.

19 (b) ASSESSMENT OF AFGHANISTAN PROGRESS ON
20 OBJECTIVES.—Subsection (d) of such section is amend-
21 ed—

22 (1) in paragraph (1)—

23 (A) in the matter preceding subparagraph
24 (A), by striking “June 1, 2020” and inserting
25 “March 1, 2021”;

1 (B) in subparagraph (A), by striking “;
2 and” and inserting “, including specific mile-
3 stones achieved since the date on which the
4 2020 progress report was submitted;”;

5 (C) in subparagraph (B), by striking the
6 period at the end and inserting “; and”; and

7 (D) by adding at the end the following:

8 “(C) the efforts of the Government of the
9 Islamic Republic of Afghanistan to fulfill the
10 commitments of the Government of the Islamic
11 Republic of Afghanistan under the Joint Dec-
12 laration between the Islamic Republic of Af-
13 ghanistan and the United States of America for
14 Bringing Peace to Afghanistan, issued on Feb-
15 ruary 29, 2020.”;

16 (2) by amending paragraph (2) to read as fol-
17 lows:

18 “(2) MATTERS TO BE INCLUDED.—In con-
19 ducting the assessment required by paragraph (1),
20 the Secretary of Defense shall include each of the
21 following:

22 “(A) The progress made by the Govern-
23 ment of the Islamic Republic of Afghanistan to-
24 ward increased accountability and the reduction
25 of corruption within the Ministry of Defense

1 and the Ministry of Interior of the Government
2 of the Islamic Republic of Afghanistan.

3 “(B) The extent to which the Government
4 of the Islamic Republic of Afghanistan has des-
5 ignated the appropriate staff, prioritized the de-
6 velopment of relevant processes, and provided
7 or requested the allocation of resources nec-
8 essary to support a peace and reconciliation
9 process in Afghanistan.

10 “(C) The extent to which the capability
11 and capacity of the Afghan National Defense
12 and Security Forces have improved as a result
13 of Afghanistan Security Forces Fund invest-
14 ment, including through training, and an ar-
15 ticipation of the metrics used to assess such im-
16 provements.

17 “(D) The extent to which the Afghan Na-
18 tional Defense and Security Forces have been
19 successful in—

20 “(i) defending territory, re-taking ter-
21 ritory, and disrupting attacks;

22 “(ii) reducing the use of Afghan Na-
23 tional Defense and Security Forces check-
24 points; and

1 “(iii) curtailing the use of Afghan
2 Special Security Forces for missions that
3 are better suited to general purpose forces.

4 “(E) The distribution practices of the Af-
5 ghan National Defense and Security Forces and
6 whether the Government of the Islamic Repub-
7 lic of Afghanistan is ensuring that supplies,
8 equipment, and weaponry supplied by the
9 United States are appropriately distributed to,
10 and employed by, security forces.

11 “(F) The progress made with respect to
12 the recruitment, integration, retention, training,
13 and treatment of women in the Afghan Na-
14 tional Defense and Security Forces.

15 “(G) The extent to which the Government
16 of the Islamic Republic of Afghanistan is adher-
17 ing to conditions for receiving assistance estab-
18 lished in annual financial commitment letters or
19 any other bilateral agreement with the United
20 States.

21 “(H) Such other factors as the Secretaries
22 consider appropriate.”; and

23 (3) by amending paragraph (4) to read as fol-
24 lows:

1 “(4) WITHHOLDING OF FUNDS FOR INSUFFI-
2 CIENT PROGRESS.—

3 “(A) CERTIFICATION.—Not later than De-
4 cember 31, 2020, the Secretary of Defense, in
5 coordination with the Secretary of State and
6 pursuant to the assessment under paragraph
7 (1), shall submit to the congressional defense
8 committees a certification indicating whether
9 the Government of the Islamic Republic of Af-
10 ghanistan has made sufficient progress in the
11 areas described in paragraph (2).

12 “(B) WITHHOLDING OF FUNDS.—If the
13 Secretary of Defense is unable under subpara-
14 graph (A) to certify that the Government of the
15 Islamic Republic of Afghanistan is making suf-
16 ficient progress in the areas described in para-
17 graph (2), the Secretary of Defense shall—

18 “(i) withhold from expenditure and
19 obligation an amount that is not less than
20 5 percent and not more than 15 percent of
21 the amounts made available for assistance
22 for the Afghan National Defense and Secu-
23 rity Forces for fiscal year 2021 until the
24 date on which the Secretary is able to so
25 certify; and

1 “(ii) notify the congressional defense
2 committees not later than 30 days before
3 withholding such funds and indicate the
4 specific areas of insufficient progress.

5 “(C) WAIVER.—If the Secretary of De-
6 fense determines that withholding such funds
7 would impede the national security objectives of
8 the United States by prohibiting, restricting,
9 delaying, or otherwise limiting the provision of
10 assistance to the Afghan National Defense and
11 Security Forces for fiscal year 2021, the Sec-
12 retary may waive the withholding requirement
13 under subparagraph (B) if the Secretary, in co-
14 ordination with the Secretary of State, certifies
15 such determination to the congressional defense
16 committees not later than 30 days before the
17 effective date of the waiver.”.

18 (c) ADDITIONAL REPORTING REQUIREMENTS.—Sub-
19 section (e) of such section is amended—

20 (1) in the matter preceding paragraph (1), by
21 striking “fiscal year 2021” and inserting “fiscal year
22 2022”;

23 (2) in paragraph (1), by striking “fiscal year
24 2019” and inserting “fiscal year 2020”;

1 (2) promoting substantial efficiency and effec-
2 tiveness in the administration of programs and oper-
3 ations funded with amounts for the reconstruction of
4 Afghanistan.

5 (b) PURPOSES.—Subsection (a) of section 1229 of
6 the National Defense Authorization Act for Fiscal Year
7 2008 (5 U.S.C. app. 8G note) is amended—

8 (1) in paragraph (3), by inserting after “To
9 provide for” the following: “the transition to the
10 lead Inspector General for Operation Freedom’s
11 Sentinel designated pursuant to section 8L(d) of the
12 Inspector General Act of 1978 (50 U.S.C. app.
13 8L(d)) of all duties, responsibilities, and authorities
14 for serving”; and

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

17 “(4) To maximize coordination between the In-
18 spector General under this section and the lead In-
19 spector General for Operation Freedom’s Sentinel,
20 including through transparency and timely sharing
21 of data and information collected in relation to the
22 exercise of their respective duties, responsibilities,
23 and authorities, with emphasis on matters of signifi-
24 cant overlap between the Department of State, the

1 United States Agency for International Develop-
2 ment, and the Department of Defense.”.

3 (c) ASSISTANT INSPECTOR GENERAL FOR AUDIT-
4 ING.—Subsection (d)(1) of such section is amended by
5 striking “supported by” and inserting “funded with”.

6 (d) SUPERVISION.—Subsection (e)(2) of such section
7 is amended by inserting “authorized by this section” after
8 “any audit or investigation”.

9 (e) DUTIES.—Subsection (f) of such section is
10 amended—

11 (1) in paragraph (1)—

12 (A) in subparagraph (E), by adding “and”
13 at the end;

14 (B) by striking subparagraph (F);

15 (C) by redesignating subparagraph (G) as
16 subparagraph (F); and

17 (D) in subparagraph (F), as redesignated
18 by subparagraph (C) of this paragraph—

19 (i) by inserting “with such funds”
20 after “overpayments,”; and

21 (ii) by inserting “regarding such
22 funds,” after “or affiliated entities”;

23 (2) in paragraph (2)—

1 (A) by striking “The Inspector General”
 2 and inserting “As specified in this section, the
 3 Inspector General”; and

4 (B) by striking “as the Inspector General
 5 considers appropriate” and inserting “as nec-
 6 essary”; and

7 (3) by striking paragraph (4) and inserting the
 8 following new paragraph (4):

9 “(4) SCOPE OF DUTIES AND RESPONSIBIL-
 10 ITIES.—

11 “(A) NO EXTENSION TO PARTICULAR MAT-
 12 TERS.—The duties and responsibilities of the
 13 Inspector General under paragraphs (1)
 14 through (3) shall not extend to the following:

15 “(i) Military operations or activities
 16 (including security assistance or coopera-
 17 tion), unless such operations or activities
 18 are funded using a Fund or account speci-
 19 fied in subsection (n)(1).

20 “(ii) Contracts for personal security.

21 “(B) ASSIGNMENT OF DUTIES AND RE-
 22 SPONSIBILITIES FOR SUCH MATTERS.—Duties
 23 and responsibilities of inspectors general with
 24 respect to operations and activities and con-
 25 tracts specified in subparagraph (A) shall be

1 discharged by the lead Inspector General for
 2 Operation Freedom’s Sentinel designated pur-
 3 suant to section 8L(d) of the Inspector General
 4 Act of 1978.”.

5 (f) RESPONSIBILITY FOR COORDINATION OF EF-
 6 FORTS VESTED IN LEAD IG FOR OPERATION FREEDOM’S
 7 SENTINEL.—Such section is further amended—

8 (1) by redesignating subsections (g) through (o)
 9 as subsections (h) through (p), respectively; and

10 (2) by inserting after subsection (f) the fol-
 11 lowing new subsection (g):

12 “(g) COORDINATION AND DECONFLICTION OF EF-
 13 FORTS.—

14 “(1) COORDINATION AND DECONFLICTION
 15 THROUGH LEAD IG FOR OPERATION FREEDOM’S
 16 SENTINEL.—The lead Inspector General for Oper-
 17 ation Freedom’s Sentinel designated pursuant to
 18 section 8L(d) of the Inspector General Act of 1978
 19 shall exercise all duties, responsibilities, and authori-
 20 ties for the coordination and deconfliction of inspec-
 21 tor general activities in or in regard to Afghanistan.

22 “(2) COORDINATION IN DISCHARGE.—In car-
 23 rying out duties, responsibilities, and authorities
 24 under paragraph (1), the lead Inspector General re-
 25 ferred to in that paragraph shall coordinate with, re-

1 ceive the cooperation of, and be responsible for
2 deconfliction among, the following:

3 “(A) Each Inspector General specified in
4 section 8L(c) of the Inspector General Act of
5 1978 who is not the lead Inspector General for
6 Operation Freedom’s Sentinel.

7 “(B) The Inspector General under this sec-
8 tion.”.

9 (g) ASSISTANCE FROM FEDERAL AGENCIES.—Sub-
10 section (i) of such section, as redesignated by subsection
11 (f)(1) of this section, is amended—

12 (1) in paragraph (5)(A), by inserting “per-
13 taining to the exercise by the Inspector General of
14 duties, responsibilities, or authorities specified in
15 subsection (f)” after “information and assistance”;
16 and

17 (2) by striking paragraph (6).

18 (h) REPORTS.—Subsection (j) of such section, as re-
19 designated by subsection (f)(1) of this section, is amend-
20 ed—

21 (1) in paragraph (1)—

22 (A) by striking the matter preceding sub-
23 paragraph (A) and inserting the following new
24 matter:

1 “(1) SEMI-ANNUAL REPORTS.—Not later than
2 30 days after the end of the second quarter of each
3 fiscal year, and not later than 30 days after the end
4 of the fourth quarter of each fiscal year, the Inspec-
5 tor General shall submit to the appropriate congress-
6 sional committees a report setting forth a summary,
7 for the two fiscal year quarters ending before the
8 date on which such report is required to be sub-
9 mitted, of the activities of the Inspector General and
10 the activities under programs and operations funded
11 with amounts appropriated or otherwise made avail-
12 able for the reconstruction of Afghanistan. Each re-
13 port shall include, for the period covered by such re-
14 port, the following:”;

15 (B) by striking subparagraph (A) and in-
16 serting the following new subparagraph (A):

17 “(A) A detailed statement of all obligations
18 and expenditures of amounts appropriated or
19 otherwise made available for the reconstruction
20 of Afghanistan.”;

21 (C) in subparagraph (B), by inserting
22 “projects and programs funded by amounts ap-
23 propriated or otherwise made available” after
24 “costs incurred to date for”; and

1 (D) in subparagraphs (C) and (D), by
2 striking “funded by any department or agency
3 of the United States Government” each place it
4 appears and inserting “funded by amounts ap-
5 propriated or otherwise made available for the
6 reconstruction of Afghanistan”; and

7 (2) in paragraph (2), by striking “that involves
8 the use” and all that follows and inserting “that is
9 funded by amounts appropriated or otherwise made
10 available for the reconstruction of Afghanistan.”.

11 (i) REPORT COORDINATION.—Subsection (k) of such
12 section, as redesignated by subsection (f)(1) of this sec-
13 tion, is amended—

14 (1) in the subsection heading, by inserting “BY
15 INSPECTOR GENERAL FOR OPERATION FREEDOM’S
16 SENTINEL” after “REPORT COORDINATION”;

17 (2) in paragraph (1), by striking “and the Sec-
18 retary of Defense” and inserting “, the Secretary of
19 Defense, and the lead Inspector General for Oper-
20 ation Freedom’s Sentinel designated pursuant to
21 section 8L(d) of the Inspector General Act of 1978”;
22 and

23 (3) in paragraph (2), by striking “or the Sec-
24 retary of Defense” each place it appears and insert-

1 ing “, the Secretary of Defense, or the lead Inspec-
2 tor General referred to in paragraph (1)”.

3 (j) FUNDS SUBJECT TO OVERSIGHT RESPONSIBI-
4 LITY.—Paragraph (1) of subsection (n) of such section,
5 as redesignated by subsection (f)(1) of this section, is
6 amended to read as follows:

7 “(1) AMOUNTS APPROPRIATED OR OTHERWISE
8 MADE AVAILABLE FOR THE RECONSTRUCTION OF
9 AFGHANISTAN.—The term ‘amounts appropriated or
10 otherwise made available for the reconstruction of
11 Afghanistan’ means amounts appropriated or other-
12 wise made available for any fiscal year for the recon-
13 struction of Afghanistan under either of the fol-
14 lowing:

15 “(A) The Economic Support Fund.

16 “(B) The International Narcotics Control
17 and Law Enforcement account.

18 “(C) The Commanders Emergency Re-
19 sponse Program Fund.

20 “(D) The NATO Afghanistan National
21 Army Trust Fund.

22 “(E) The Drug Interdiction and Counter
23 Drug Activities Fund.

24 “(F) The Afghanistan Security Forces
25 Fund.”.

1 (k) TERMINATION.—Subsection (p) of such section,
2 as redesignated by subsection (f)(1) of this section, is
3 amended—

4 (1) by striking paragraph (2); and

5 (2) by adding at the end the following new
6 paragraphs.

7 “(2) ASSUMPTION OF DUTIES, RESPONSIBIL-
8 ITIES, AND AUTHORITIES IN TERMINATION.—

9 “(A) IN GENERAL.—Effective as of the
10 date provided for in subparagraph (B), the du-
11 ties, responsibilities, and authorities of the In-
12 spector General under this section shall be dis-
13 charged by the lead Inspector General for Oper-
14 ation Freedom’s Sentinel designated pursuant
15 to subsection (d) of section 8L of the Inspector
16 General Act of 1978.

17 “(B) EFFECTIVE DATE.—The effective
18 date provided for in this subparagraph shall be
19 such date after the date of the termination of
20 the Office of the Special Inspector General for
21 Afghanistan Reconstruction pursuant to para-
22 graph (1) as the Chair of the Council of Inspec-
23 tors General on Integrity and Efficiency under
24 subsection (a) of section 8L of the Inspector
25 General Act of 1978 shall specify, which date

1 may not be more than 180 days after the date
2 of such termination.

3 “(3) FINAL REPORT.—The final report of the
4 Inspector General under this section shall consist of
5 the semi-annual report required by subsection (j)(1)
6 for the last two fiscal year quarters ending before
7 the date of the termination of the Office of the Spe-
8 cial Inspector General for Afghanistan Reconstruc-
9 tion pursuant to paragraph (1).”.

10 (l) CONFORMING AND TECHNICAL AMENDMENTS.—

11 (1) IN GENERAL.—Subject to paragraph (2),
12 such section is further amended as follows:

13 (A) In subsection (a)(2)(A), by inserting a
14 comma after “economy”.

15 (B) Subsection (a)(3) is amended to read
16 as such subsection read as of the day before the
17 date of the enactment of this Act.

18 (C) Paragraph (4) of subsection (a) is re-
19 pealed.

20 (D) In subsection (f)(1)(E), by striking
21 “fund” and inserting “funds”.

22 (E) In subsections (l) and (m), as redesign-
23 nated by subsection (f)(1) of this section—

1 (i) by striking “subsection (i)” each
2 place it appears and inserting “subsection
3 (j)”;

4 (ii) by striking “subsection (j)(2)”
5 each place it appears and inserting “sub-
6 section (k)(2)”.

7 (2) EFFECTIVE DATES.—The amendments
8 made by subparagraphs (A), (D) and (E) of para-
9 graph (1) shall take effect on the date of the enact-
10 ment of this Act. The amendment made by subpara-
11 graphs (B) and (C) of that paragraph shall take ef-
12 fect on the effective date provided for in section
13 1229(p)(2)(B) of the National Defense Authoriza-
14 tion Act for Fiscal Year 2008, as redesignated by
15 subsection (f)(1) and amended by subsection (k).

16 (m) CONFORMING AMENDMENT TO OTHER LAW.—
17 Section 842(c) of the National Defense Authorization Act
18 for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
19 234; 10 U.S.C. 2302 note) is amended—

20 (1) by inserting “(1)” before “The Special In-
21 spector General for Iraq Reconstruction”; and

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

24 “(2) Upon the assumption by the lead Inspector Gen-
25 eral for Operation Freedom’s Sentinel designated pursu-

1 ant to section 8L(d) of the Inspector General Act of 1978
 2 (5 U.S.C. app. 8L(d)) of duties, responsibilities, and au-
 3 thorities under section 1229 of this Act, as provided for
 4 in subsection (p)(2) of such section 1229, the requirement
 5 in paragraph (1) to perform audits as required by sub-
 6 section (a) with respect to Afghanistan shall be discharged
 7 by such lead Inspector General.”.

8 **TITLE XVI—STRATEGIC PRO-**
 9 **GRAMS, CYBER, AND INTEL-**
 10 **LIGENCE MATTERS**

11 **Subtitle A—Space Activities**

12 **SEC. 1601. RESILIENT AND SURVIVABLE POSITIONING,**
 13 **NAVIGATION, AND TIMING CAPABILITIES.**

14 (a) IN GENERAL.—Not later than two years after the
 15 date of the enactment of this Act, consistent with the
 16 timescale applicable to joint urgent operational needs
 17 statements, the Secretary of Defense shall—

18 (1) prioritize and rank order the mission ele-
 19 ments, platforms, and weapons systems most critical
 20 for the operational plans of the combatant com-
 21 mands;

22 (2) mature, test, and produce for such
 23 prioritized mission elements sufficient equipment—

1 (A) to generate resilient and survivable al-
2 ternative positioning, navigation, and timing
3 signals; and

4 (B) to process resilient survivable data
5 provided by signals of opportunity and on-board
6 sensor systems; and

7 (3) integrate and deploy such equipment into
8 the prioritized operational systems, platforms, and
9 weapons systems.

10 (b) PLAN.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act, the Sec-
13 retary shall submit to the congressional defense com-
14 mittees a plan to commence carrying out subsection
15 (a) in fiscal year 2021.

16 (2) REPROGRAMMING AND BUDGET PRO-
17 POSALS.—The plan submitted under paragraph (1)
18 may include any reprogramming or supplemental
19 budget request the Secretary considers necessary to
20 carry out subsection (a).

21 (c) COORDINATION.—In carrying out this section, the
22 Secretary shall consult with the National Security Council,
23 the Secretary of Homeland Security, the Secretary of
24 Transportation, and the head of any other relevant Fed-
25 eral department or agency to enable civilian and commer-

1 cial adoption of technologies and capabilities for resilient
2 and survivable alternative positioning, navigation, and
3 timing capabilities to complement the global positioning
4 system.

5 **SEC. 1602. DEVELOPMENT EFFORTS FOR NATIONAL SECUR-**
6 **RITY SPACE LAUNCH PROVIDERS.**

7 (a) IN GENERAL.—The Secretary of the Air Force
8 shall establish a program to develop technologies and sys-
9 tems to enhance phase three National Security Space
10 Launch requirements and enable further advances in
11 launch capability associated with the insertion of national
12 security payloads into relevant classes of orbits.

13 (b) DURATION.—The duration of a project to develop
14 technologies and systems selected under the program shall
15 be not more than three years.

16 (c) PROGRAM EXPENSE CEILING.—The total amount
17 expended under the program shall not exceed
18 \$250,000,000.

19 (d) SUNSET.—The program established under this
20 section shall terminate on October 1, 2027.

21 **SEC. 1603. TIMELINE FOR NONRECURRING DESIGN VALIDA-**
22 **TION FOR RESPONSIVE SPACE LAUNCH.**

23 Not later than 540 days after the date on which the
24 Secretary of the Air Force selects two National Security
25 Space Launch providers in accordance with the phase two

1 acquisition strategy for the National Security Space
2 Launch program, the Secretary of Defense shall complete
3 the nonrecurring design validation of previously flown
4 launch hardware for National Security Space Launch pro-
5 viders that offer such hardware for use in the phase two
6 acquisition strategy or other national security space mis-
7 sions.

8 **SEC. 1604. TACTICALLY RESPONSIVE SPACE LAUNCH OPER-**
9 **ATIONS.**

10 The Secretary of the Air Force shall implement a
11 tactically responsive space launch program—

12 (1) to provide long-term continuity for tactically
13 responsive space launch operations across the fu-
14 ture-years defense program submitted to Congress
15 under section 221 of title 10, United States Code;

16 (2) to accelerate the development of—

17 (A) responsive launch concepts of oper-
18 ations;

19 (B) tactics;

20 (C) training; and

21 (D) procedures;

22 (3) to develop appropriate processes for
23 tactically responsive space launch, including—

24 (A) mission assurance processes; and

1 (B) command and control, tracking, telem-
2 etry, and communications; and

3 (4) to identify basing capabilities necessary to
4 enable tactically responsive space launch, including
5 mobile launch range infrastructure.

6 **SEC. 1605. CONFORMING AMENDMENTS RELATING TO RE-**
7 **ESTABLISHMENT OF SPACE COMMAND.**

8 (a) CERTIFICATIONS REGARDING INTEGRATED TAC-
9 TICAL WARNING AND ATTACK ASSESSMENT MISSION OF
10 THE AIR FORCE.—Section 1666(a) of National Defense
11 Authorization Act for Fiscal Year 2017 (Public Law 114–
12 328; 113 Stat. 2617) is amended by striking “Strategic
13 Command” and inserting “Space Command”.

14 (b) COUNCIL ON OVERSIGHT OF THE DEPARTMENT
15 OF DEFENSE POSITIONING, NAVIGATION, AND TIMING
16 ENTERPRISE.—Section 2279b of title 10, United States
17 Code, is amended—

18 (1) in subsection (b)—

19 (A) by redesignating paragraphs (7), (8),
20 (9), and (10) as paragraphs (8), (9), (10), and
21 (11), respectively; and

22 (B) by inserting after paragraph (6) the
23 following new paragraph (7):

24 “(7) The Commander of the United States
25 Space Command.”; and

1 (2) in subsection (f), by striking “Strategic
2 Command” each place it appears and inserting
3 “Space Command”.

4 (c) JOINT INTERAGENCY COMBINED SPACE OPER-
5 ATIONS CENTER.—Section 605(e) of the Intelligence Au-
6 thorization Act for Fiscal Year 2017 (Public Law 115–
7 31; 131 Stat. 832) is amended—

8 (1) in the subsection heading, by striking
9 “JOINT INTERAGENCY COMBINED SPACE OPER-
10 ATIONS CENTER” and inserting “NATIONAL SPACE
11 DEFENSE CENTER”; and

12 (2) by striking “Strategic Command” each
13 place it appears and inserting “Space Command”;
14 and

15 (3) by striking “Joint Interagency Combined
16 Space Operations Center” each place it appears and
17 inserting “National Space Defense Center”.

18 (d) NATIONAL SECURITY SPACE SATELLITE RE-
19 PORTING POLICY.—Section 2278(a) of title 10, United
20 States Code, is amended by striking “Strategic Com-
21 mand” and inserting “Space Command”.

22 (e) SPACE-BASED INFRARED SYSTEM AND AD-
23 VANCED EXTREMELY HIGH FREQUENCY PROGRAM.—
24 Section 1612(a)(1) of the National Defense Authorization
25 Act for 2017 (Public Law 114–328; 130 Stat. 2590) is

1 amended by striking “Strategic Command” and inserting
2 “Space Command”.

3 **SEC. 1606. SPACE DEVELOPMENT AGENCY DEVELOPMENT**
4 **REQUIREMENTS AND TRANSFER TO SPACE**
5 **FORCE.**

6 (a) DEVELOPMENT.—The Director of the Space De-
7 velopment Agency shall lead—

8 (1) the development and demonstration of a re-
9 silient military space-based sensing, tracking, and
10 data transport architecture that primarily uses a
11 proliferated low-Earth orbit; and

12 (2) the integration of next-generation space ca-
13 pabilities, and sensor and tracking components (in-
14 cluding a hypersonic and ballistic missile-tracking
15 space sensor payload), into such architecture to ad-
16 dress the requirements and needs of the Armed
17 Forces and combatant commands for such capabili-
18 ties.

19 (b) ORGANIZATION.—On October 1, 2022, or earlier
20 if directed by the Secretary of Defense, the Space Develop-
21 ment Agency shall be transferred from the Office of the
22 Secretary of Defense to the United States Space Force
23 and shall maintain the same organizational reporting re-
24 quirements and acquisition authorities as the Space Rapid
25 Capability Office.

1 **SEC. 1607. SPACE LAUNCH RATE ASSESSMENT.**

2 Not later than 90 days after the date of the enact-
3 ment of this Act, and biennially thereafter for the fol-
4 lowing five-year period, the Secretary of the Air Force
5 shall submit to the congressional defense committees an
6 assessment that includes—

7 (1) the total number of space launches for all
8 national security and Federal civil agency entities
9 conducted in the United States during the preceding
10 two-year period; and

11 (2) the number of space launches by the same
12 sponsors projected to occur during the following
13 three-year period, including—

14 (A) the number of launches, disaggregated
15 by class of launch vehicle; and

16 (B) the number of payloads, disaggregated
17 by orbital destination.

18 **SEC. 1608. REPORT ON IMPACT OF ACQUISITION STRATEGY**
19 **FOR THE NATIONAL SECURITY SPACE**
20 **LAUNCH PROGRAM ON EMERGING FOREIGN**
21 **SPACE LAUNCH PROVIDERS.**

22 Not later than 90 days after the date of the enact-
23 ment of this Act, the Secretary of the Air Force shall sub-
24 mit to Congress a report on the impact of the acquisition
25 strategy for the National Security Space Launch program
26 on the potential for foreign countries, including the Peo-

1 ple's Republic of China, to enter the global commercial
2 space launch market.

3 **SEC. 1609. LEVERAGING COMMERCIAL SATELLITE REMOTE**
4 **SENSING.**

5 (a) IN GENERAL.—In acquiring geospatial-intel-
6 ligence, the Secretary of Defense, in coordination with the
7 Director of the National Reconnaissance Office and the
8 Director of the National Geospatial-Intelligence Agency,
9 shall leverage, to the maximum extent practicable, the ca-
10 pabilities of United States industry, including through the
11 use of commercial geospatial-intelligence services and ac-
12 quisition of commercial satellite imagery.

13 (b) OBTAINING FUTURE GEOSPATIAL-INTELLIGENCE
14 DATA.—The Director of the National Reconnaissance Of-
15 fice, as part of an analysis of alternatives for the future
16 acquisition of space systems for geospatial-intelligence,
17 shall—

18 (1) consider whether there is a suitable, cost-ef-
19 fective, commercial capability available that can
20 meet any or all of the geospatial-intelligence require-
21 ments of the Department and the intelligence com-
22 munity;

23 (2) if a suitable, cost-effective, commercial ca-
24 pability is available as described in paragraph (1),
25 determine whether it is in the national interest to

1 develop a governmental space system for geospatial
2 intelligence; and

3 (3) include, as part of the established acquisi-
4 tion reporting requirements to the appropriate com-
5 mittees of Congress, any determination made under
6 paragraphs (1) and (2).

7 (c) DEFINITIONS.—In this section:

8 (1) The term “appropriate committees of Con-
9 gress” means—

10 (A) the congressional defense committees;

11 (B) the Select Committee on Intelligence
12 of the Senate; and

13 (C) the Permanent Select Committee on
14 Intelligence of the House of Representatives.

15 (2) The term “intelligence community” has the
16 meaning given such term in section 3 of the Na-
17 tional Security Act of 1947 (50 U.S.C. 3003).

18 **Subtitle B—Cyberspace-Related** 19 **Matters**

20 **SEC. 1611. MODIFICATION OF POSITION OF PRINCIPAL** 21 **CYBER ADVISOR.**

22 (a) IN GENERAL.—Subsection (c) of section 932 of
23 the National Defense Authorization Act for Fiscal Year
24 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is
25 amended to read as follows:

1 “(c) PRINCIPAL CYBER ADVISOR.—

2 “(1) DESIGNATION.—The Secretary shall des-
3 ignate a Principal Cyber Advisor from among those
4 civilian officials of the Department of Defense who
5 have been appointed to the positions in which they
6 serve by the President, by and with the advice and
7 consent of the Senate.

8 “(2) RESPONSIBILITIES.—The Principal Cyber
9 Advisor shall be responsible for the following:

10 “(A) Acting as the principal advisor to the
11 Secretary on military cyber forces and activi-
12 ties.

13 “(B) Overall integration of Cyber Oper-
14 ations Forces activities relating to cyberspace
15 operations, including associated policy and oper-
16 ational considerations, resources, personnel,
17 technology development and transition, and ac-
18 quisition.

19 “(C) Assessing and overseeing the imple-
20 mentation of the cyber strategy of the Depart-
21 ment and execution of the cyber posture review
22 of the Department on behalf of the Secretary.

23 “(D) Coordinating activities pursuant to
24 subparagraphs (A) and (B) of subsection (c)(3)
25 with the Principal Information Operations Advi-

1 sor, the Chief Information Officer of the De-
2 partment, and other officials as determined by
3 the Secretary of Defense, to ensure the integra-
4 tion of activities in support of cyber, informa-
5 tion, and electromagnetic spectrum operations.

6 “(E) Such other matters relating to the of-
7 fensive military cyber forces of the Department
8 as the Secretary shall specify for the purposes
9 of this subsection.

10 “(3) CROSS-FUNCTIONAL TEAM.—Consistent
11 with section 911 of the National Defense Authoriza-
12 tion Act for Fiscal Year 2017 (Public Law 114–328;
13 10 U.S.C. 111 note), the Principal Cyber Advisor
14 shall—

15 “(A) integrate the cyber expertise and per-
16 spectives of appropriate organizations within
17 the Office of the Secretary of Defense, Joint
18 Staff, military departments, the Defense Agen-
19 cies and Field Activities, and combatant com-
20 mands, by establishing and maintaining a full-
21 time cross-functional team of subject matter ex-
22 perts from those organizations; and

23 “(B) select team members, and designate a
24 team leader, from among those personnel nomi-
25 nated by the heads of such organizations.”.

1 (b) DESIGNATION OF DEPUTY PRINCIPAL CYBER
2 ADVISOR.—Section 905(a)(1) of the National Defense Au-
3 thorization Act for Fiscal Year 2020 (Public Law 116–
4 92) is amended by striking “Under Secretary of Defense
5 for Policy” and inserting “Secretary of Defense”.

6 **SEC. 1612. FRAMEWORK FOR CYBER HUNT FORWARD OPER-**
7 **ATIONS.**

8 (a) FRAMEWORK REQUIRED.—Not later than Feb-
9 ruary 1, 2021, the Secretary of Defense shall develop a
10 standard, comprehensive framework to enhance the con-
11 sistency, execution, and effectiveness of cyber hunt for-
12 ward operations.

13 (b) ELEMENTS.—The framework developed pursuant
14 to subsection (a) shall include the following:

15 (1) Identification of the selection criteria for
16 proposed hunt forward operations, including speci-
17 fication of necessary thresholds for the justification
18 of operations and thresholds for partner cooperation.

19 (2) The roles and responsibilities of the fol-
20 lowing organizations in the support of the planning
21 and execution of hunt forward operations:

22 (A) United States Cyber Command.

23 (B) Service cyber components.

24 (C) The Office of the Under Secretary of
25 Defense for Policy.

1 (D) Geographic combatant commands.

2 (E) Cyber Operations-Integrated Planning
3 Elements and Joint Cyber Centers.

4 (F) Embassies and consulates of the
5 United States.

6 (3) Pre-deployment planning guidelines to
7 maximize the operational success of each unique op-
8 eration, including guidance that takes into account
9 the highly variable nature of the following aspects at
10 the tactical level:

11 (A) Team composition, including necessary
12 skillsets, recommended training, and guidelines
13 on team size and structure.

14 (B) Relevant factors to determine mission
15 duration in a country of interest.

16 (C) Agreements with partner countries re-
17 quired pre-deployment.

18 (D) Criteria for potential follow-on oper-
19 ations.

20 (E) Equipment and infrastructure required
21 to support the missions.

22 (4) Metrics to measure the effectiveness of each
23 operation, including means to evaluate the value of
24 discovered malware and infrastructure, the effect on

1 the adversary, and the potential for future engage-
2 ments with the partner country.

3 (5) Roles and responsibilities for United States
4 Cyber Command and the National Security Agency
5 in the analysis of relevant mission data.

6 (6) Such other matters as the Secretary deter-
7 mines relevant.

8 (c) BRIEFING.—

9 (1) IN GENERAL.—Not later than March 1,
10 2021, the Secretary of Defense shall provide to the
11 Committee on Armed Services of the Senate and the
12 Committee on Armed Services of the House of Rep-
13 resentatives a briefing on the framework developed
14 pursuant to subsection (a).

15 (2) CONTENTS.—The briefing required by para-
16 graph (1) shall include the following:

17 (A) An overview of the framework devel-
18 oped in subsection (a).

19 (B) An explanation of the tradeoffs associ-
20 ated with the use of Department of Defense re-
21 sources for hunt forward missions in the con-
22 text of competing priorities.

23 (C) Such recommendations as the Sec-
24 retary may have for legislative action to im-

1 prove the effectiveness of hunt forward mis-
2 sions.

3 **SEC. 1613. MODIFICATION OF SCOPE OF NOTIFICATION RE-**
4 **QUIREMENTS FOR SENSITIVE MILITARY**
5 **CYBER OPERATIONS.**

6 Subsection (c) of section 395 of title 10, United
7 States Code, is amended to read as follows:

8 “(c) SENSITIVE MILITARY CYBER OPERATION DE-
9 FINED.—(1) In this section, the term ‘sensitive military
10 cyber operation’ means an action described in paragraph
11 (2) that—

12 “(A) is carried out by the armed forces of the
13 United States;

14 “(B) is intended to achieve a cyber effect
15 against a foreign terrorist organization or a country,
16 including its armed forces and the proxy forces of
17 that country located elsewhere —

18 “(i) with which the armed forces of the
19 United States are not involved in hostilities (as
20 that term is used in section 4 of the War Pow-
21 ers Resolution (50 U.S.C. 1543)); or

22 “(ii) with respect to which the involvement
23 of the armed forces of the United States in hos-
24 tilities has not been acknowledged publicly by
25 the United States; and

1 “(C)(i) is determined to—

2 “(I) have a medium or high collateral ef-
3 fects estimate;

4 “(II) have a medium or high intelligence
5 gain or loss;

6 “(III) have a medium or high probability
7 of political retaliation, as determined by the po-
8 litical military assessment contained within the
9 associated concept of operations;

10 “(IV) have a medium or high probability of
11 detection when detection is not intended; or

12 “(V) result in medium or high collateral ef-
13 fects; or

14 “(ii) is a matter the Secretary determines to be
15 appropriate.

16 “(2) The actions described in this paragraph are the
17 following:

18 “(A) An offensive cyber operation.

19 “(B) A defensive cyber operation.”.

20 **SEC. 1614. MODIFICATION OF REQUIREMENTS FOR QUAR-**
21 **TERLY DEPARTMENT OF DEFENSE CYBER OP-**
22 **ERATIONS BRIEFINGS FOR CONGRESS.**

23 Section 484 of title 10, United States Code, is
24 amended by striking subsections (a) and (b) and inserting
25 the following new subsections:

1 “(a) BRIEFINGS REQUIRED.—The Under Secretary
2 of Defense for Policy, the Commander of United States
3 Cyber Command, and the Chairman of the Joint Chiefs
4 of Staff, or designees from each of their offices, shall pro-
5 vide to the congressional defense committees quarterly
6 briefings on all offensive and significant defensive military
7 operations in cyberspace, including clandestine cyber ac-
8 tivities, carried out by the Department of Defense during
9 the immediately preceding quarter.

10 “(b) ELEMENTS.—Each briefing under subsection
11 (a) shall include, with respect to the military operations
12 in cyberspace described in such subsection, the following:

13 “(1) An update, set forth separately for each
14 applicable geographic and functional command, that
15 describes the operations carried out in the area of
16 operations of that command or by that command.

17 “(2) An update, set forth for each applicable
18 geographic and functional command, that describes
19 defensive cyber operations executed to protect or de-
20 fend forces, networks, and equipment in the area of
21 operations of that command.

22 “(3) An update on relevant authorities and
23 legal issues applicable to operations, including any
24 presidential directives and delegations of authority
25 received since the last quarterly update.

1 “(4) An overview of critical operational chal-
2 lenges posed by major adversaries or encountered in
3 operational activities conducted since the last quar-
4 terly update.

5 “(5) An overview of the readiness of the Cyber
6 Mission Forces to perform assigned missions that—

7 “(A) addresses all of the abilities of such
8 Forces to conduct cyberspace operations based
9 on capability and capacity of personnel, equip-
10 ment, training, and equipment condition—

11 “(i) using both quantitative and quali-
12 tative metrics; and

13 “(ii) in a way that is common to all
14 military departments; and

15 “(B) is consistent with readiness reporting
16 pursuant to section 482 of this title.

17 “(6) Any other matters that the briefers deter-
18 mine to be appropriate.

19 “(c) DOCUMENTS.—Each briefing under subsection
20 (a) shall include a classified placemat, summarizing the
21 elements specified in paragraphs (1), (2), (3), and (5) of
22 subsection (b), and an unclassified memorandum, summa-
23 rizing the briefing’s contents.”.

1 **SEC. 1615. RATIONALIZATION AND INTEGRATION OF PAR-**
2 **ALLEL CYBERSECURITY ARCHITECTURES**
3 **AND OPERATIONS.**

4 (a) REVIEW REQUIRED.—The Commander of United
5 States Cyber Command, with support from the Chief In-
6 formation Officer of the Department of Defense, the Chief
7 Data Officer of the Department, the Principal Cyber Advi-
8 sor, the Vice Chairman of the Joint Chiefs of Staff, and
9 the Director of Cost Analysis and Program Evaluation,
10 shall conduct a review of the Cybersecurity Service Pro-
11 vider and Cyber Mission Force enterprises.

12 (b) ASSESSMENT AND IDENTIFICATION OF
13 REDUNDANCIES AND GAPS.—The review required by sub-
14 section (a) shall assess and identify—

15 (1) the optimal way to integrate the Joint
16 Cyber Warfighting Architecture and the Cybersecu-
17 rity Service Provider architectures, associated tools
18 and capabilities, and associated concepts of oper-
19 ations;

20 (2) redundancies and gaps in network sensor
21 deployment and data collection and analysis for
22 the—

23 (A) Big Data Platform;

24 (B) Joint Regional Security Stacks; and

25 (C) Security Information and Event Man-
26 agement capabilities;

1 (3) where integration, collaboration, and inter-
2 operability are not occurring that would improve
3 outcomes;

4 (4) baseline training, capabilities, competencies,
5 operational responsibilities, and joint concepts of op-
6 erations for the Joint Force Headquarters for the
7 Department of Defense Information Network, Cy-
8 bersecurity Service Providers, and Cyber Protection
9 Teams;

10 (5) the roles and responsibilities of the Prin-
11 cipal Cyber Advisor, Chief Information Officer, and
12 the Commander of United States Cyber Command
13 in establishing and overseeing the baselines assessed
14 and identified under paragraph (4);

15 (6) the optimal command structure for the mili-
16 tary services' and combatant commands' cybersecu-
17 rity service providers and cyber protection teams;

18 (7) the responsibilities of network owners and
19 cybersecurity service providers in mapping, config-
20 uring, instrumenting, and deploying sensors on net-
21 works to best support response of cyber protection
22 teams when assigned to defend unfamiliar networks;
23 and

24 (8) operational concepts and engineering
25 changes to enhance remote access and operations of

1 cyber protection teams on networks through tools
2 and capabilities of the Cybersecurity Service Pro-
3 viders.

4 (c) RECOMMENDATIONS FOR FISCAL YEAR 2023
5 BUDGET.—The Chief Information Officer, the Chief Data
6 Officer, the Commander of United States Cyber Com-
7 mand, and the Principal Cyber Advisor shall jointly de-
8 velop recommendations for the Secretary of Defense in
9 preparation of the budget justification materials to be sub-
10 mitted to Congress in support of the budget for the De-
11 partment of Defense for fiscal year 2023 (as submitted
12 with the budget of the President for such fiscal year under
13 section 1105(a) of title 31, United States Code).

14 (d) PROGRESS BRIEFING.—Not later than March 31,
15 2021, the Chief Information Officer, the Chief Data Offi-
16 cer, the Commander of United States Cyber Command,
17 and the Principal Cyber Advisor shall jointly provide a
18 briefing to the congressional defense committees on the
19 progress made in carrying out this section.

20 **SEC. 1616. MODIFICATION OF ACQUISITION AUTHORITY OF**
21 **COMMANDER OF UNITED STATES CYBER**
22 **COMMAND.**

23 Section 807 of the National Defense Authorization
24 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
25 2224 note) is amended—

- 1 (1) by striking subsections (e) and (i); and
2 (2) by redesignating subsections (f) through (h)
3 as subsections (e) through (g), respectively.

4 **SEC. 1617. ASSESSMENT OF CYBER OPERATIONAL PLAN-**
5 **NING AND DECONFLICTION POLICIES AND**
6 **PROCESSES.**

7 (a) **ASSESSMENT.**—Not later than November 1,
8 2021, the Principal Cyber Advisor of the Department of
9 Defense and the Commander of United States Cyber Com-
10 mand shall jointly, in coordination with the Under Sec-
11 retary of Defense for Policy, the Under Secretary of De-
12 fense for Intelligence and Security, and the Chairman of
13 the Joint Chiefs of Staff, conduct and complete an assess-
14 ment on the operational planning and deconfliction poli-
15 cies and processes that govern cyber operations of the De-
16 partment of Defense.

17 (b) **ELEMENTS.**—The assessment required by sub-
18 section (a) shall include evaluations as to whether—

19 (1) the joint targeting cycle and relevant oper-
20 ational and targeting databases are suitable for the
21 conduct of timely and well-coordinated cyber oper-
22 ations;

23 (2) each of the policies and processes in effect
24 to facilitate technical, operational, and capability

1 deconfliction are appropriate for the conduct of
2 timely and effective cyber operations;

3 (3) intelligence gain-loss decisions made by
4 Cyber Command are sufficiently well-informed and
5 made in timely fashion;

6 (4) relevant intelligence data and products are
7 consistently available and distributed to relevant
8 planning and operational elements in Cyber Com-
9 mand;

10 (5) collection operations and priorities meet the
11 operational requirements of Cyber Command; and

12 (6) authorities relevant to intelligence, surveil-
13 lance, and reconnaissance and operational prepara-
14 tion of the environment are delegated to the appro-
15 priate level.

16 (c) BRIEFING.—Not later than February 1, 2022, the
17 Principal Cyber Advisor and the Commander of United
18 States Cyber Command shall provide to the Committee on
19 Armed Services of the Senate and the Committee on
20 Armed Services of the House of Representatives a briefing
21 on the findings of the assessment completed under sub-
22 section (a), including discussion of planned policy and
23 process changes, if any, relevant to cyber operations.

1 **SEC. 1618. PILOT PROGRAM ON CYBERSECURITY CAPA-**
2 **BILITY METRICS.**

3 (a) **PILOT PROGRAM REQUIRED.**—The Secretary of
4 Defense, acting through the Chief Information Officer of
5 the Department of Defense and the Commander of United
6 States Cyber Command, shall conduct a pilot program to
7 assess the feasibility and advisability of developing and
8 using speed-based metrics to measure the performance
9 and effectiveness of security operations centers and cyber
10 security service providers in the Department of Defense.

11 (b) **REQUIREMENTS.**—

12 (1) **DEVELOPMENT OF METRICS.**—(A) Not later
13 than July 1, 2021, the Chief Information Officer
14 and the Commander shall jointly develop metrics de-
15 scribed in subsection (a) to carry out the pilot pro-
16 gram under such subsection.

17 (B) The Chief Information Officer and the
18 Commander shall ensure that the metrics developed
19 under subparagraph (A) are commensurate with the
20 representative timelines of nation-state and non-na-
21 tion-state actors when gaining access to, and com-
22 promising, Department networks.

23 (2) **USE OF METRICS.**—(A) Not later than De-
24 cember 1, 2021, the Secretary shall, in carrying out
25 the pilot program required by subsection (a), begin
26 using the metrics developed under paragraph (1) of

1 this subsection to assess select security operations
2 centers and cyber security service providers, which
3 the Secretary shall select specifically for purposes of
4 the pilot program, for a period of not less than four
5 months.

6 (B) In carrying out the pilot program under
7 subsection (a), the Secretary shall evaluate the effec-
8 tiveness of operators, capabilities available to opera-
9 tors, and operators' tactics, techniques, and proce-
10 dures.

11 (c) AUTHORITIES.—In carrying out the pilot program
12 under subsection (a), the Secretary may—

13 (1) assess select security operations centers and
14 cyber security service providers—

15 (A) over the course of their mission per-
16 formance; or

17 (B) in the testing and accreditation of cy-
18 bersecurity products and services on test net-
19 works designated pursuant to section 1658 of
20 the National Defense Authorization Act for Fis-
21 cal Year 2020 (Public Law 116–92); and

22 (2) assess select elements' use of security or-
23 chestration and response technologies, modern end-
24 point security technologies, Big Data Platform

1 instantiations, and technologies relevant to zero
2 trust architectures.

3 (d) BRIEFING.—

4 (1) IN GENERAL.—Not later than March 1,
5 2022, the Secretary shall brief the Committee on
6 Armed Services of the Senate and the Committee on
7 Armed Services of the House of Representatives on
8 the findings of the Secretary with respect to the
9 pilot program required by subsection (a).

10 (2) ELEMENTS.—The briefing provided under
11 paragraph (1) shall include the following:

12 (A) The pilot metrics developed under sub-
13 section (b)(1).

14 (B) The findings of the Secretary with re-
15 spect to the assessments carried out under sub-
16 section (b)(2).

17 (C) An analysis of the utility of speed-
18 based metrics in assessing security operations
19 centers and cyber security service providers.

20 (D) An analysis of the utility of the exten-
21 sion of the pilot metrics to or speed-based as-
22 sessment of the Cyber Mission Forces.

23 (E) An assessment of the technical and
24 procedural measures that would be necessary to

1 meet the speed-based metrics developed and ap-
2 plied in the pilot program.

3 **SEC. 1619. ASSESSMENT OF EFFECT OF INCONSISTENT TIM-**
4 **ING AND USE OF NETWORK ADDRESS TRANS-**
5 **LATION IN DEPARTMENT OF DEFENSE NET-**
6 **WORKS.**

7 (a) IN GENERAL.—Not later than March 1, 2021, the
8 Chief Information Officer of the Department of Defense
9 shall conduct comprehensive assessments as follows:

10 (1) TIMING VARIABILITY IN DEPARTMENT NET-
11 WORKS.—The Chief Information Officer shall char-
12 acterize—

13 (A) timing variability across Department
14 information technology and operational tech-
15 nology networks, appliances, devices, applica-
16 tions, and sensors that generate time-stamped
17 data and metadata used for cybersecurity pur-
18 poses;

19 (B) how timing variability affects current,
20 planned, and potential capabilities for detecting
21 network intrusions that rely on correlating
22 events and the sequence of events; and

23 (C) how to harmonize standard of timing
24 across Department networks.

1 (2) USE OF NETWORK ADDRESS TRANS-
2 LATION.—The Chief Information Officer shall char-
3 acterize—

4 (A) why and how the Department is using
5 Network Address Translation (NAT) and mul-
6 tiple layers and nesting of Network Address
7 Translation;

8 (B) how using Network Address Trans-
9 lation affects the ability to link malicious com-
10 munications detected at various network tiers to
11 specific endpoints or hosts to enable prompt ad-
12 ditional investigations, quarantine decisions,
13 and remediation activities; and

14 (C) what steps and associated cost and
15 schedule are necessary to eliminate the use of
16 Network Address Translation or to otherwise
17 provide transparency to network defenders, in-
18 cluding options to accelerate the transition from
19 Internet Protocol version 4 to Internet Protocol
20 version 6.

21 (b) RECOMMENDATION.—The Chief Information Of-
22 ficer and the Principal Cyber Advisor shall submit to the
23 Secretary of Defense a recommendation to address the as-
24 sessments conducted under subsection (a), including

1 whether and how to revise the cyber strategy of the De-
2 partment.

3 (c) BRIEFING.—Not later than April 1, 2021, the
4 Chief Information Officer shall brief the congressional de-
5 fense committees on the findings of the Chief Information
6 Officer with respect to the assessments conducted under
7 subsection (a) and the recommendation submitted under
8 subsection (b).

9 **SEC. 1620. MATTERS CONCERNING THE COLLEGE OF IN-**
10 **FORMATION AND CYBERSPACE AT NATIONAL**
11 **DEFENSE UNIVERSITY.**

12 (a) PROHIBITION.—The Secretary of Defense may
13 not eliminate, divest, downsize, or reorganize the College
14 of Information and Cyberspace of the National Defense
15 University, or seek to reduce the number of students edu-
16 cated at the College, until 30 days after the date on which
17 the congressional defense committees receive the report re-
18 quired by subsection (c).

19 (b) ASSESSMENT, DETERMINATION, AND REVIEW.—
20 The Under Secretary of Defense for Policy, in consultation
21 with the Under Secretary of Defense for Personnel and
22 Readiness, the Principal Cyber Advisor, the Principal In-
23 formation Operations Advisor of the Department of De-
24 fense, the Chief Information Officer of the Department,
25 the Chief Financial Officer of the Department, the Chair-

1 man of the Joint Chiefs of Staff, and the Commander of
2 United States Cyber Command, shall—

3 (1) assess requirements for joint professional
4 military education and civilian leader education in
5 the information environment and cyberspace domain
6 to support the Department and other national secu-
7 rity institutions of the Federal Government;

8 (2) determine whether the importance, chal-
9 lenges, and complexity of the modern information
10 environment and cyberspace domain warrant—

11 (A) a college at the National Defense Uni-
12 versity, or a college independent of the National
13 Defense University whose leadership is respon-
14 sible to the Office of the Secretary of Defense;
15 and

16 (B) the provision of resources, services,
17 and capacity at levels that are the same as, or
18 decreased or enhanced in comparison to, those
19 resources, services, and capacity in place at the
20 College of Information and Cyberspace on Jan-
21 uary 1, 2019;

22 (3) review the plan proposed by the National
23 Defense University for eliminating the College of In-
24 formation and Cyberspace and reducing and restruc-
25 turing the information and cyberspace faculty,

1 course offerings, joint professional military education
2 and degree and certificate programs, and other serv-
3 ices provided by the College; and

4 (4) assess the changes made to the College of
5 Information and Cyberspace since January 1, 2019,
6 and the actions necessary to reverse those changes,
7 including relocating the College and its associated
8 budget, faculty, staff, students, and facilities outside
9 of the National Defense University.

10 (c) REPORT REQUIRED.—Not later than February 1,
11 2021, the Secretary shall submit to the congressional de-
12 fense committees a report on—

13 (1) the findings of the Secretary with respect to
14 the assessments, determination, and review con-
15 ducted under subsection (b); and

16 (2) such recommendations as the Secretary may
17 have for higher education in the information envi-
18 ronment and cyberspace domain.

19 **SEC. 1621. MODIFICATION OF MISSION OF CYBER COM-**
20 **MAND AND ASSIGNMENT OF CYBER OPER-**
21 **ATIONS FORCES.**

22 Section 167b of title 10, United States Code, is
23 amended—

24 (1) in subsection (a)—

1 (A) in the first sentence, by inserting
2 “(1)” before “With the advice”;

3 (B) in paragraph (1), as designated by
4 subparagraph (A), by striking the second sen-
5 tence; and

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

8 “(2) The principal mission of the cyber command is
9 to direct, synchronize, and coordinate cyber planning and
10 operations to defend and advance national interests in col-
11 laboration with domestic and international partners.”; and

12 (2) by amending subsection (b) to read as fol-
13 lows:

14 “(b) ASSIGNMENT OF FORCES.—(1) Active and re-
15 serve cyber forces of the armed forces shall be assigned
16 to the cyber command through the Global Force Manage-
17 ment Process, as approved by the Secretary of Defense.

18 “(2) Cyber forces not assigned to cyber command re-
19 main assigned to combatant commands or service-re-
20 tained.”.

21 **SEC. 1622. INTEGRATION OF DEPARTMENT OF DEFENSE**
22 **USER ACTIVITY MONITORING AND CYBERSE-**
23 **CURITY.**

24 (a) INTEGRATION OF PLANS, CAPABILITIES, AND
25 SYSTEMS.—The Secretary of Defense shall integrate the

1 plans, capabilities, and systems for user activity moni-
2 toring, and the plans, capabilities, and systems for end-
3 point cybersecurity and the collection of metadata on net-
4 work activity for cybersecurity to enable mutual support
5 and information sharing.

6 (b) REQUIREMENTS.—In carrying out subsection (a),
7 the Secretary shall—

8 (1) consider using the Big Data Platform in-
9 stances that host cybersecurity metadata for storage
10 and analysis of all user activity monitoring data col-
11 lected across the Department of Defense Informa-
12 tion Network at all security classification levels;

13 (2) develop policies and procedures governing
14 access to user activity monitoring data or data de-
15 rived from user activity monitoring by cybersecurity
16 operators; and

17 (3) develop processes and capabilities for using
18 metadata on host and network activity for user ac-
19 tivity monitoring in support of the insider threat
20 mission.

21 (c) CONGRESSIONAL BRIEFING.—Not later than Oc-
22 tober 1, 2021, the Secretary shall provide a briefing to
23 the congressional defense committees on actions taken to
24 carry out this section.

1 **SEC. 1623. DEFENSE INDUSTRIAL BASE CYBERSECURITY**
2 **SENSOR ARCHITECTURE PLAN.**

3 (a) **PLAN REQUIRED.**—Not later than February 1,
4 2021, the Principal Cyber Advisor of the Department of
5 Defense, in consultation with the Chief Information Offi-
6 cer of the Department, the Under Secretary of Defense
7 for Acquisition and Sustainment, the Under Secretary of
8 Defense for Intelligence and Security, and the Commander
9 of United States Cyber Command, shall develop a com-
10 prehensive plan for the deployment of commercial-off-the-
11 shelf solutions on supplier networks to monitor the public-
12 facing Internet attack surface in the defense industrial
13 base.

14 (b) **CONTENTS.**—The plan required by subsection (a)
15 shall include the following:

16 (1) Definition of an architecture, concept of op-
17 erations, and governance structure that—

18 (A) will allow for the instrumentation and
19 collection of cybersecurity data on the public-
20 facing Internet attack surfaces of defense in-
21 dustrial base contractors in a manner that is
22 compatible with the Department’s existing or
23 future capabilities for analysis, and instrumen-
24 tation and collection, as appropriate, of cyberse-
25 curity data within the Department of Defense
26 Information Network;

1 (B) includes the expected scale, schedule,
2 and guiding principles of deployment;

3 (C) is consistent with the defense indus-
4 trial base cybersecurity policies and programs
5 of the Under Secretary of Defense for Acquisi-
6 tion and Sustainment and the Chief Informa-
7 tion Officer; and

8 (D) includes an acquisition strategy for
9 sensor capabilities that optimizes required capa-
10 bility, scalability, cost, and intelligence and cy-
11 bersecurity requirements.

12 (2) Roles and responsibilities of the persons re-
13 ferred to in subsection (a) in implementing and exe-
14 cuting the plan.

15 (c) CONSULTATION.—In developing the plan required
16 by subsection (a), the Principal Cyber Advisor shall ensure
17 that extensive consultation with representative companies
18 of the defense industrial base occurs so as to ensure that
19 prospective participants in the defense industrial base un-
20 derstand and agree that emerging solutions are accept-
21 able, practical, and effective.

22 (d) BRIEFING.—Not later than March 1, 2021, the
23 Principal Cyber Advisor shall provide a briefing to the
24 Committee on Armed Services of the Senate and the Com-

1 mittee on Armed Services of the House of Representatives
2 on the plan developed pursuant to subsection (a).

3 **SEC. 1624. EXTENSION OF CYBERSPACE SOLARIUM COM-**
4 **MISSION TO TRACK AND ASSESS IMPLEMEN-**
5 **TATION.**

6 Section 1652 of the John S. McCain National De-
7 fense Authorization Act for Fiscal Year 2019 (Public Law
8 115–232), as amended by section 1639 of the National
9 Defense Authorization Act for Fiscal Year 2020 (Public
10 Law 116–92), is further amended—

11 (1) in subsection (b)(1)(B)—

12 (A) in clause (i), by striking “under
13 clauses (iv) through (vii) of subparagraph (A)”
14 and inserting “under clauses (v) through (viii)
15 of subparagraph (A)”; and

16 (B) by adding at the end the following new
17 clause:

18 “(iv) Effective on the date of the enact-
19 ment of the National Defense Authorization Act
20 for Fiscal Year 2021, the composition of the
21 Commission shall not include clauses (i)
22 through (iv) of subparagraph (A).”;

23 (2) in subsection (d)(2), by striking “Seven
24 members shall” and inserting “Seven members, dur-
25 ing the period beginning on the date of the establish-

1 ment of the Commission and ending on the day be-
2 fore the date of the enactment of the National De-
3 fense Authorization Act for Fiscal Year 2021, and
4 six members, during the period beginning on the
5 date of the enactment of such Act and ending on the
6 date of the termination of the Commission, shall”;

7 (3) in subsection (i)(1)(B)—

8 (A) by striking “Members of the Commis-
9 sion who” inserting “(i) During the period be-
10 ginning on the date of the establishment of the
11 Commission and ending on the day before the
12 date of the enactment of the National Defense
13 Authorization Act for Fiscal Year 2021, mem-
14 bers of the Commission who”;

15 (B) by adding at the end the following new
16 clause:

17 “(ii) During the period beginning on the date of
18 the enactment of such Act and ending on the date
19 of the termination of the Commission, members of
20 the Commission who are Members of Congress shall
21 receive no additional pay by reason of their service
22 on the Commission.”; and

23 (4) in subsection (k)(2)—

1 (A) in subparagraph (A), by striking “120
2 day period” and inserting “16 month period
3 with no further extensions permitted”;

4 (B) by amending subparagraph (B) to read
5 as follows:

6 “(B) The Commission may use the 16 month
7 period referred to in subparagraph (A) for the pur-
8 poses of—

9 “(i) collecting and assessing comments and
10 feedback from the Federal departments and
11 agencies, as well as published reviews, on the
12 analysis and recommendations contained in the
13 final report under paragraph (1);

14 “(ii) collecting and assessing any develop-
15 ments in cybersecurity that may affect the rec-
16 ommendations in such report;

17 “(iii) reviewing the implementation of the
18 recommendations contained in such report; and

19 “(iv) revising or amending recommenda-
20 tions based on the assessments and reviews con-
21 ducted under clauses (i) through (iii);

22 “(C) During the 16 month period referred to in
23 subparagraph (A), the Commission shall—

24 “(i) provide, in such manner and format as
25 the Commission considers appropriate, an an-

1 annual update on such report and any revisions or
2 amendments reached by the Commission under
3 subparagraph (B)(iv) to—

4 “(I) the Committee on Armed Serv-
5 ices, the Select Committee on Intelligence,
6 and the Committee on Homeland Security
7 and Governmental Affairs of the Senate;

8 “(II) the Committee on Armed Serv-
9 ices, the Permanent Select Committee on
10 Intelligence, and the Committee on Home-
11 land Security of the House of Representa-
12 tives;

13 “(III) the Director of National Intel-
14 ligence;

15 “(IV) the Secretary of Defense; and

16 “(V) the Secretary of Homeland Secu-
17 rity; and

18 “(ii) conclude its activities, including pro-
19 viding testimony to Congress concerning the
20 final report under paragraph (1) and dissemi-
21 nating such report.”; and

22 (C) by adding at the end the following new
23 subparagraph:

24 “(D) In the event that the Commission is ex-
25 tended, and the effective date of the extension comes

1 after the time set for the Commission’s termination,
2 the Commission shall be deemed reconstituted with
3 the same members and powers that existed at the
4 time of termination of the Commission, except
5 that—

6 “(i) a member of the Commission shall
7 only serve if the member’s position continues to
8 be authorized under subsection (b);

9 “(ii) no compensation or entitlements re-
10 lating to a person’s status with the Commission
11 shall be due for the period between the termi-
12 nation and reconstitution of the Commission;

13 “(iii) nothing in this paragraph shall be
14 deemed as requiring the extension or reemploy-
15 ment of any staff member or contractor work-
16 ing for the Commission;

17 “(iv) the staff of the commission—

18 “(I) shall be selected by the co-chairs
19 of the Commission in accordance with sub-
20 section (h)(1);

21 “(II) shall be comprised of not more
22 than four individuals, including a staff di-
23 rector;

24 “(III) shall be resourced in accord-
25 ance with subsection (g)(4)(A); and

1 “(IV) with the approval of the co-
2 chairs, may be provided by contract with a
3 nongovernmental organization;

4 “(v) any unexpended funds made available
5 for the use of the Commission shall continue to
6 be available for use for the life of the Commis-
7 sion, as well as any additional funds appro-
8 priated to the Department of Defense that are
9 made available to the Commission, provided
10 that the total such funds does not exceed
11 \$1,000,000 from the reconstitution of the Com-
12 mission to the completion of the Commission;
13 and

14 “(vi) the requirement for an annual assess-
15 ment of the final report in subsection (l) shall
16 be in effect until the termination of the Com-
17 mission.”.

18 **SEC. 1625. REVIEW OF REGULATIONS AND PROMULGATION**
19 **OF GUIDANCE RELATING TO NATIONAL**
20 **GUARD RESPONSES TO CYBER ATTACKS.**

21 (a) IN GENERAL.—Not later than December 31,
22 2021, the Secretary of Defense, in coordination with the
23 Secretary of Homeland Security, shall—

24 (1) review and, if the Secretary determines nec-
25 essary, update regulations promulgated under sec-

1 ization Act for Fiscal Year 2020 (Public Law 116–92),
2 is further amended—

3 (1) by amending paragraph (1) to read as fol-
4 lows:

5 “(1) The assessment and definition of the role
6 of cyber forces in the national defense and military
7 strategies of the United States.”;

8 (2) by amending paragraph (2) to read as fol-
9 lows:

10 “(2) Review of the following:

11 “(A) The role of cyber operations in com-
12 batant commander warfighting plans.

13 “(B) The ability of combatant commanders
14 to respond to adversary cyber attacks.

15 “(C) The cyber capacity-building programs
16 of the Department.”;

17 (3) by amending paragraph (3) to read as fol-
18 lows:

19 “(3) A review of the law, policies, and authori-
20 ties relating to, and necessary for, the United States
21 to maintain a safe, reliable, and credible cyber pos-
22 ture for defending against and responding to cyber
23 attacks and for deterrence in cyberspace, including
24 the following:

1 “(A) An assessment of the need for further
2 delegation of cyber-related authorities, including
3 those germane to information warfare, to the
4 Commander of United States Cyber Command.

5 “(B) An evaluation of the adequacy of mis-
6 sion authorities for all cyber-related military
7 components, defense agencies, directorates, cen-
8 ters, and commands.”;

9 (4) in paragraph (4), by striking “A declara-
10 tory” and inserting “A review of the need for or for
11 updates to a declaratory”;

12 (5) in paragraph (5), by striking “Proposed”
13 and inserting “A review of”;

14 (6) by amending paragraph (6) to read as fol-
15 lows:

16 “(6) A review of a strategy to deter, degrade,
17 or defeat malicious cyber activity targeting the
18 United States (which may include activities, capa-
19 bility development, and operations other than cyber
20 activities, cyber capability development, and cyber
21 operations), including—

22 “(A) a review and assessment of various
23 approaches to competition and deterrence in
24 cyberspace, determined in consultation with ex-

1 perts from Government, academia, and indus-
2 try;

3 “(B) a comparison of the strengths and
4 weaknesses of the approaches identified pursu-
5 ant to subparagraph (A) relative to the threat
6 of each other; and

7 “(C) an assessment as to how the cyber
8 strategy will inform country-specific campaign
9 plans focused on key leadership of Russia,
10 China, Iran, North Korea, and any other coun-
11 try the Secretary considers appropriate.”;

12 (7) by striking paragraph (8) and inserting the
13 following new paragraph (8):

14 “(8) A comprehensive force structure assess-
15 ment of the Cyber Operations Forces of the Depart-
16 ment for the posture review period, including the fol-
17 lowing:

18 “(A) A determination of the appropriate
19 size and composition of the Cyber Mission
20 Forces to accomplish the mission requirements
21 of the Department.

22 “(B) An assessment of the Cyber Mission
23 Forces’ personnel, capabilities, equipment,
24 funding, operational concepts, and ability to
25 execute cyber operations in a timely fashion.

1 “(C) An assessment of the personnel, capa-
2 bilities, equipment, funding, and operational
3 concepts of Cybersecurity Service Providers and
4 other elements of the Cyber Operations
5 Forces.”;

6 (8) by redesignating paragraphs (9) through
7 (11) as subsections (12) through (15), respectively;
8 and

9 (9) by inserting after paragraph (8), the fol-
10 lowing new paragraphs:

11 “(9) An assessment of whether the Cyber Mis-
12 sion Force has the appropriate level of interoper-
13 ability, integration, and interdependence with special
14 operations and conventional forces.

15 “(10) An evaluation of the adequacy of mission
16 authorities for the Joint Force Provider and Joint
17 Force Trainer responsibilities of United States
18 Cyber Command, including the adequacy of the
19 units designated as Cyber Operations Forces to sup-
20 port such responsibilities.

21 “(11) An assessment of the missions and
22 resourcing of the combat support agencies in sup-
23 port of cyber missions of the Department.”.

1 **SEC. 1627. REPORT ON ENABLING UNITED STATES CYBER**
2 **COMMAND RESOURCE ALLOCATION.**

3 (a) IN GENERAL.—Not later than January 15, 2021,
4 the Secretary of Defense shall submit to the congressional
5 defense committees a report detailing the actions the Sec-
6 retary will undertake to implement clauses (ii) and (iii)
7 of section 167b(d)(2) of title 10, United States Code, in-
8 cluding actions to ensure that the Commander of United
9 States Cyber Command has enhanced authority, direction,
10 and control of the Cyber Operations Forces and the equip-
11 ment budget that enables Cyber Operations Forces' oper-
12 ations and readiness, beginning with the budget to be sub-
13 mitted to Congress by the President under section 1105(a)
14 of title 31, United States Code, for fiscal year 2024, and
15 the budget justification materials for the Department of
16 Defense to be submitted to Congress in support of such
17 budget.

18 (b) ELEMENTS.—The report required by subsection
19 (a) shall address the following items:

20 (1) The procedures by which the Principal
21 Cyber Advisor (PCA) will exercise authority, direc-
22 tion, and oversight over the Commander of United
23 States Cyber Command, with respect to Cyber Oper-
24 ations Forces-peculiar equipment and resources.

25 (2) The procedures by which the Commander of
26 United States Cyber Command will—

1 (A) prepare and submit to the Secretary
2 program recommendations and budget pro-
3 posals for Cyber Operations Forces and for
4 other forces assigned to the Cyber Command;
5 and

6 (B) exercise authority, direction, and con-
7 trol over the expenditure of funds for—

8 (i) forces assigned to United States
9 Cyber Command; and

10 (ii) Cyber Operations Forces assigned
11 to other unified combatant commands.

12 (3) Recommendations for actions to enable the
13 Commander of United States Cyber Command to
14 execute the budget and acquisition responsibilities of
15 the Commander in excess of currently imposed limits
16 on the Cyber Operations Procurement Fund, includ-
17 ing potential increases in personnel to support the
18 Commander.

19 (4) The procedures by which the Secretary will
20 categorize and track funding obligated or expended
21 for Cyber Operations Forces-peculiar equipment and
22 capabilities.

23 (5) The methodology and criteria by which the
24 Secretary will characterize equipment as being Cyber
25 Operations Forces-peculiar.

1 **SEC. 1628. EVALUATION OF OPTIONS FOR ESTABLISHING A**
2 **CYBER RESERVE FORCE.**

3 (a) **EVALUATION REQUIRED.**—Not later than Decem-
4 ber 31, 2021, the Secretary of Defense shall conduct an
5 evaluation of options for establishing a cyber reserve force.

6 (b) **ELEMENTS.**—The evaluation conducted under
7 subsection (a) shall include assessment of the following:

8 (1) The capabilities and deficiencies in military
9 and civilian personnel with needed cybersecurity ex-
10 pertise, and the quantity of personnel with such ex-
11 pertise, within the Department.

12 (2) The potential for a uniformed, civilian, or
13 mixed cyber reserve force to remedy shortfalls in ex-
14 pertise and capacity.

15 (3) The ability of the Department to attract the
16 personnel with the desired expertise to either a uni-
17 formed or civilian cyber reserve force.

18 (4) The number of personnel, the level of fund-
19 ing, and the composition of a cyber reserve force
20 that would be required to meet the needs of the De-
21 partment.

22 (5) Alternative models for establishing a cyber
23 reserve force, including the following:

24 (A) A traditional uniformed military re-
25 serve component.

1 (B) A nontraditional uniformed military
2 reserve component, with respect to drilling and
3 other requirements such as grooming and phys-
4 ical fitness.

5 (C) Nontraditional civilian cyber reserve
6 options.

7 (6) The impact a uniformed military cyber re-
8 serve would have on active duty and existing reserve
9 forces, including the following:

10 (A) Recruiting.

11 (B) Promotion.

12 (C) Retention.

13 (7) The effect a civilian cyber reserve would
14 have on active duty and existing reserve forces, and
15 the private sector.

16 (c) REPORT.—Not later than February 1, 2022, the
17 Secretary shall submit to the congressional defense com-
18 mittees a report on the evaluation conducted under sub-
19 section (a).

20 **SEC. 1629. ENSURING CYBER RESILIENCY OF NUCLEAR**
21 **COMMAND AND CONTROL SYSTEM.**

22 (a) PLAN FOR IMPLEMENTATION OF FINDINGS AND
23 RECOMMENDATIONS FROM FIRST ANNUAL ASSESSMENT
24 OF CYBER RESILIENCY OF NUCLEAR COMMAND AND
25 CONTROL SYSTEM.—Not later than October 1, 2021, the

1 Secretary of Defense shall submit to the congressional de-
2 fense committees a comprehensive plan, including a sched-
3 ule and resourcing plan, for the implementation of the
4 findings and recommendations included in the first report
5 submitted under section 499(c)(3) of title 10, United
6 States Code.

7 (b) CONCEPT OF OPERATIONS AND OVERSIGHT
8 MECHANISM FOR CYBER DEFENSE OF NUCLEAR COM-
9 MAND AND CONTROL SYSTEM.—Not later than October
10 1, 2021, the Secretary shall develop and establish—

11 (1) a concept of operations for defending the
12 nuclear command and control system against cyber
13 attacks, including specification of the—

14 (A) roles and responsibilities of relevant
15 entities within the Office of the Secretary, the
16 military services, combatant commands, the De-
17 fense Agencies, and the Department of Defense
18 Field Activities; and

19 (B) cybersecurity capabilities to be ac-
20 quired and employed and operational tactics,
21 techniques, and procedures, including cyber
22 protection team and sensor deployment strate-
23 gies, to be used to monitor, defend, and miti-
24 gate vulnerabilities in nuclear command and
25 control systems; and

1 (2) an oversight mechanism or governance
2 model for overseeing the implementation of the con-
3 cept of operations developed and established under
4 paragraph (1), related development, systems engi-
5 neering, and acquisition activities and programs, and
6 the plan required by subsection (a), including speci-
7 fication of the—

8 (A) roles and responsibilities of relevant
9 entities within the Office of the Secretary, the
10 military services, combatant commands, the De-
11 fense Agencies, and the Department of Defense
12 Field Activities in overseeing the defense of the
13 nuclear command and control system against
14 cyber attacks;

15 (B) responsibilities and authorities of the
16 Strategic Cybersecurity Program in overseeing
17 and, as appropriate, executing—

18 (i) vulnerability assessments; and

19 (ii) development, systems engineering,
20 and acquisition activities; and

21 (C) processes for coordination of activities,
22 policies, and programs relating to the cyberse-
23 curity and defense of the nuclear command and
24 control system.

1 **SEC. 1630. MODIFICATION OF REQUIREMENTS RELATING**
2 **TO THE STRATEGIC CYBERSECURITY PRO-**
3 **GRAM AND THE EVALUATION OF CYBER**
4 **VULNERABILITIES OF MAJOR WEAPON SYS-**
5 **TEMS OF THE DEPARTMENT OF DEFENSE.**

6 (a) EVALUATION OF CYBER VULNERABILITIES OF
7 MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DE-
8 FENSE.—

9 (1) IN GENERAL.—Section 1647 of the Na-
10 tional Defense Authorization Act for Fiscal Year
11 2016 (Public Law 114–92), as amended by section
12 1633 of the National Defense Authorization Act for
13 Fiscal Year 2020 (Public Law 116–92), is further
14 amended by adding at the end the following new
15 subsection:

16 “(i) ESTABLISHING REQUIREMENTS FOR PERIO-
17 DICITY OF VULNERABILITY REVIEWS.—The Secretary of
18 Defense shall establish policies and requirements for each
19 major weapon system, and the priority critical infrastruc-
20 ture essential to the proper functioning of major weapon
21 systems in broader mission areas, to be re-assessed for
22 cyber vulnerabilities, taking into account upgrades or
23 other modifications to systems and changes in the threat.

24 “(j) IDENTIFICATION OF SENIOR OFFICIAL.—Each
25 secretary of a military department shall identify a senior
26 official who shall be responsible for ensuring that cyber

1 vulnerability assessments and mitigations for weapon sys-
2 tems and critical infrastructure are planned, funded, and
3 carried out.”.

4 (2) TECHNICAL CORRECTION.—Such section
5 1647 of the National Defense Authorization Act for
6 Fiscal Year 2016 is further amended—

7 (A) by redesignating subsection (g) as sub-
8 section (h); and

9 (B) by redesignating the second subsection
10 (f), as added by section 1633 of the National
11 Defense Authorization Act for Fiscal Year
12 2020, as subsection (g).

13 (b) STRATEGIC CYBERSECURITY PROGRAM.—Section
14 1640 of the National Defense Authorization Act for Fiscal
15 Year 2018 (Public Law 115–91; 10 U.S.C. 2224 note),
16 is amended by striking subsections (a) through (e) and
17 inserting the following new subsections:

18 “(a) IN GENERAL.—Not later than August 1, 2021,
19 the Secretary of Defense shall, acting through the Direc-
20 tor of the National Security Agency and in coordination
21 with the Vice Chairman of the Joint Chiefs of Staff, estab-
22 lish a program to be known as the ‘Strategic Cybersecurity
23 Program’ (in this section referred to as the ‘Program’).

24 “(b) ELEMENTS.—

1 “(1) IN GENERAL.—The Program shall be com-
2 prised of personnel assigned to the Program by the
3 Secretary from among personnel, including regular
4 and reserve members of the Armed Forces, civilian
5 employees of the Department of Defense (including
6 the Defense intelligence agencies), and personnel of
7 the research laboratories of the Department of De-
8 fense and the Department of Energy, who have par-
9 ticular expertise in the areas of responsibility de-
10 scribed in subsection (c).

11 “(2) DEPARTMENT OF ENERGY PERSONNEL.—
12 Any personnel assigned to the Program from among
13 personnel of the Department of Energy shall be so
14 assigned with the concurrence of the Secretary of
15 Energy.

16 “(3) PROGRAM MANAGER.—The Secretary of
17 Defense shall designate a manager for the Program
18 (in this section referred to as the ‘Program man-
19 ager’).

20 “(c) RESPONSIBILITIES.—

21 “(1) IN GENERAL.—The Program manager and
22 the personnel assigned to the Program shall improve
23 the end-to-end cybersecurity of all of the systems,
24 critical infrastructure, kill chains, and processes that

1 make up the following military missions of the De-
2 partment of Defense:

3 “(A) Nuclear deterrence and strike.

4 “(B) Select long-range conventional strike
5 missions germane to the warfighting plans of
6 United States European Command and United
7 States Indo-Pacific Command.

8 “(C) Offensive cyber operations.

9 “(D) Homeland missile defense.

10 “(2) ASSESSING AND REMEDIATING
11 VULNERABILITIES IN MISSION EXECUTION.—In car-
12 rying out the activities described in paragraph (1),
13 the Program manager shall conduct end-to-end vul-
14 nerability assessments and undertake or oversee re-
15 mediation of identified vulnerabilities in the systems
16 and processes on which the successful execution of
17 the missions delineated in paragraph (1) depend.

18 “(3) ACQUISITION AND SYSTEMS ENGINEERING
19 REVIEW.—In carrying out paragraph (1), the Pro-
20 gram manager shall conduct appropriate reviews of
21 acquisition and systems engineering plans for pro-
22 posed systems and infrastructure. The review of an
23 acquisition plan for any proposed system or infra-
24 structure shall be carried out before Milestone B ap-
25 proval for such system or infrastructure.

1 “(d) INTEGRATION WITH OTHER EFFORTS.—The
2 Secretary shall ensure that the Program builds upon, and
3 does not duplicate, other efforts of the Department of De-
4 fense relating to cybersecurity, including the following:

5 “(1) The evaluation of cyber vulnerabilities of
6 major weapon systems of the Department of Defense
7 required under section 1647 of the National Defense
8 Authorization Act for Fiscal Year 2016 (Public Law
9 114–92).

10 “(2) The evaluation of cyber vulnerabilities of
11 Department of Defense critical infrastructure re-
12 quired under section 1650 of the National Defense
13 Authorization Act for Fiscal year 2017 (Public Law
14 114–328; 10 U.S.C. 2224 note).

15 “(3) The activities of the cyber protection
16 teams of the Department of Defense.

17 “(e) MISSION DEFINITION.—The Vice Chairman of
18 the Joint Chiefs of Staff shall coordinate with the Director
19 of the National Security Agency and the commanders of
20 the unified combatant commands to define the elements
21 of the missions that will be included in the Program, and
22 shall be responsible for updating those definitions as nec-
23 essary.

24 “(f) BRIEFING.—Not later than December 1, 2021,
25 the Secretary of Defense shall provide a briefing to the

1 congressional defense committees on the establishment of
2 the Program, and the plans, funding, and staffing of the
3 Program.”.

4 **SEC. 1631. DEFENSE INDUSTRIAL BASE PARTICIPATION IN**
5 **A CYBERSECURITY THREAT INTELLIGENCE**
6 **SHARING PROGRAM.**

7 (a) DEFENSE INDUSTRIAL BASE THREAT INTEL-
8 LIGENCE PROGRAM.—

9 (1) IN GENERAL.—The Secretary of Defense
10 shall establish a threat intelligence sharing program
11 to share threat intelligence with, and obtain threat
12 intelligence from, the defense industrial base.

13 (2) PROGRAM REQUIREMENTS.—At a minimum,
14 the Secretary shall ensure that the program estab-
15 lished pursuant to paragraph (1) includes the fol-
16 lowing:

17 (A) Cybersecurity incident reporting re-
18 quirements applicable to the defense industrial
19 base that—

20 (i) extend beyond mandatory incident
21 reporting requirements in effect on the day
22 before the date of the enactment of this
23 Act;

24 (ii) set specific timeframes for all cat-
25 egories of incident reporting;

1 (iii) establishes a single clearinghouse
2 for all mandatory incident reporting to the
3 Department of Defense, including incidents
4 involving covered unclassified information,
5 and classified information; and

6 (iv) provide that, unless authorized or
7 required by another provision of law or the
8 element of the defense industrial base
9 making the report consents, nonpublic in-
10 formation of which the Department be-
11 comes aware only because of a report pro-
12 vided pursuant to the program shall be dis-
13 seminated and used only for a cybersecu-
14 rity purpose, as defined in section 102 of
15 the Cybersecurity Information Sharing Act
16 of 2015 (6 U.S.C. 1501).

17 (B) A mechanism for developing a shared
18 and real-time picture of the threat environment.

19 (C) Joint, collaborative, and co-located
20 analytics.

21 (D) Investments in technology and capa-
22 bilities to support automated detection and
23 analysis across the defense industrial base.

24 (E) Coordinated intelligence tipping, shar-
25 ing, and deconfliction, as necessary, with rel-

1 evant government agencies with similar intel-
2 ligence sharing programs.

3 (b) THREAT INTELLIGENCE PROGRAM PARTICIPA-
4 TION.—

5 (1) PROCUREMENT.—The Secretary either may
6 require or shall encourage and provide incentive for
7 companies to participate in the threat intelligence
8 sharing program required by subsection (a).

9 (2) IMPLEMENTATION.—In implementing para-
10 graph (1), the Secretary shall—

11 (A) create tiers of requirements for partici-
12 pation within the program based on—

13 (i) the role of and relative threats re-
14 lated to entities within the defense indus-
15 trial base; and

16 (ii) Cybersecurity Maturity Model
17 Certification level; and

18 (B) prioritize available funding and tech-
19 nical support to assist affected businesses, insti-
20 tutions, and organizations as is reasonably nec-
21 essary for those affected entities to commence
22 participation in the threat intelligence sharing
23 program and to meet any applicable program
24 requirements.

1 (c) EXISTING INFORMATION SHARING PROGRAMS.—

2 The Secretary may utilize an existing Department infor-
3 mation sharing program to satisfy the requirement in sub-
4 section (a) if—

5 (1) the existing program includes, or is modi-
6 fied to include, two-way sharing of threat informa-
7 tion that is specifically relevant to the defense indus-
8 trial base; and

9 (2) such a program is coordinated with other
10 government agencies with existing intelligence shar-
11 ing programs where overlap occurs.

12 (d) REGULATIONS.—

13 (1) RULEMAKING AUTHORITY.—Not later than
14 December 15, 2021, the Secretary shall promulgate
15 such rules and regulations as are necessary to carry
16 out this section.

17 (2) CYBERSECURITY MATURITY MODEL CER-
18 TIFICATION PROGRAM HARMONIZATION.—The Sec-
19 retary shall ensure that any intelligence sharing re-
20 quirements set forth in the rules and regulations
21 promulgated pursuant to paragraph (1) consider an
22 entity's maturity and role within the defense indus-
23 trial base, consistent with the maturity certification
24 levels established in the Cybersecurity Maturity
25 Model Certification program of the Department.

1 (e) COMMUNITY CONSENT.—

2 (1) IN GENERAL.—As part of the program es-
3 tablished pursuant to subsection (a), the Secretary
4 either may require through contractual mechanisms
5 or shall encourage entities in the defense industrial
6 base to consent to queries of foreign intelligence col-
7 lection databases related to the entities, provided
8 that intelligence information provided to companies
9 is handled in a manner that protects sources and
10 methods.

11 (2) RULE OF CONSTRUCTION.—Nothing in this
12 subsection shall be construed to require that the ele-
13 ments of the intelligence community conduct queries
14 on defense industrial base companies to detect cyber-
15 security threats to such companies or to require that
16 information resulting from such queries be provided
17 to such companies.

18 (f) REPORT REQUIRED.—Not later than March 1,
19 2022, the Secretary shall submit to the congressional de-
20 fense committees a report that includes a description of—

21 (1) mandatory requirements levied on defense
22 industrial base entities regarding cyber incidents;

23 (2) Department procedures for ensuring the
24 confidentiality and security of data provided by such

1 entities to the Department on either a voluntary or
2 mandatory basis; and

3 (3) any other matters regarding the program
4 established under subsection (a) the Secretary con-
5 siders significant.

6 (g) DEFINITIONS.—In this section:

7 (1) The term “defense industrial base” means
8 the Department of Defense, Federal Government,
9 and private sector worldwide industrial complex with
10 capabilities to perform research and development,
11 design, produce, and maintain military weapon sys-
12 tems, subsystems, components, or parts to satisfy
13 military requirements.

14 (2) The term “intelligence community” has the
15 meaning given such term in section 3 of the Na-
16 tional Security Act of 1947 (50 U.S.C. 3003).

17 (3) The term “threat intelligence” means cyber-
18 security information collected and shared amongst
19 the defense industrial base.

20 **SEC. 1632. ASSESSMENT ON DEFENSE INDUSTRIAL BASE**
21 **CYBERSECURITY THREAT HUNTING.**

22 (a) ASSESSMENT REQUIRED.—Not later than De-
23 cember 1, 2021, the Secretary of Defense shall complete
24 an assessment of—

1 (1) the adequacy of the threat hunting elements
2 of the compliance-based Cybersecurity Maturity
3 Model Certification program of the Department of
4 Defense; and

5 (2) the need for continuous threat hunting op-
6 erations on defense industrial base networks con-
7 ducted by the Department of Defense, prime con-
8 tractors, or third-party cybersecurity vendors.

9 (b) ELEMENTS.—The assessment completed under
10 section (a) shall include evaluation of the following:

11 (1) The adequacy of the requirements at each
12 level of the Cybersecurity Maturity Model Certifi-
13 cation, including requirements germane to contin-
14 uous monitoring, discovery, and investigation of
15 anomalous activity indicative of a cybersecurity inci-
16 dent.

17 (2) The need for the establishment of a contin-
18 uous threat-hunting operational model, as a supple-
19 ment to the cyber hygiene requirements of the Cy-
20 bersecurity Maturity Model Certification, in which
21 network activity is comprehensively and continuously
22 monitored for signs of compromise.

23 (3) Whether the continuous threat-hunting op-
24 erations described in paragraph (2) should be con-
25 ducted by—

1 (A) United States Cyber Command;

2 (B) a component of the Department of De-
3 fense other than United States Cyber Com-
4 mand;

5 (C) qualified prime contractors or sub-
6 contractors;

7 (D) accredited third-party cybersecurity
8 vendors; or

9 (E) a combination of the entities specified
10 in subparagraphs (A) through (D).

11 (4) Criteria for the prime contractors and sub-
12 contractors that should be subject to continuous
13 threat-hunting operations as described in paragraph
14 (2).

15 (c) BRIEFING.—Not later than February 1, 2022, the
16 Secretary of Defense shall provide a briefing to the Com-
17 mittee on Armed Services of the Senate and the Com-
18 mittee on Armed Services of the House of Representatives
19 on—

20 (1) the findings of the Secretary with respect to
21 the assessment completed under subsection (a); and

22 (2) such implementation plans as the Secretary
23 may have arising out of the findings described in
24 paragraph (1).

1 **SEC. 1633. ASSESSING RISK TO NATIONAL SECURITY OF**
2 **QUANTUM COMPUTING.**

3 (a) COMPREHENSIVE ASSESSMENT AND REC-
4 OMMENDATIONS REQUIRED.—Not later than December
5 31, 2022, the Secretary of Defense shall—

6 (1) complete a comprehensive assessment of the
7 current and potential threats and risks posed by
8 quantum computing technologies to critical national
9 security systems, including—

10 (A) identification and prioritization of crit-
11 ical national security systems at risk;

12 (B) assessment of the standards of the Na-
13 tional Institute of Standards and Technology
14 for quantum resistant cryptography and their
15 applicability to cryptographic requirements of
16 the Department of Defense;

17 (C) feasibility of alternative quantum re-
18 sistant algorithms and features; and

19 (D) funding shortfalls in public and private
20 developmental efforts relating to quantum re-
21 sistant cryptography; and

22 (2) develop recommendations for research, de-
23 velopment, and acquisition activities, including
24 resourcing schedules, for securing the national secu-
25 rity systems identified in paragraph (1)(A) against
26 quantum computing code-breaking capabilities.

1 (b) BRIEFING.—Not later than February 1, 2023,
2 the Secretary shall brief the congressional defense commit-
3 tees on the assessment completed under paragraph (1) of
4 subsection (a) and the recommendations developed under
5 paragraph (2) of such subsection.

6 **SEC. 1634. APPLICABILITY OF REORIENTATION OF BIG**
7 **DATA PLATFORM PROGRAM TO DEPARTMENT**
8 **OF NAVY.**

9 (a) IN GENERAL.—Section 1651 of the National De-
10 fense Authorization Act for Fiscal Year 2020 (Public Law
11 116–92) is amended by adding at the end the following
12 new subsection:

13 “(e) APPLICABILITY.—The requirements of this sec-
14 tion shall apply in full to the Department of the Navy,
15 including the Sharkcage and associated programs.”.

16 (b) BRIEFING.—Not later than January 1, 2021, the
17 Secretary of the Navy, the program manager of the Uni-
18 fied Platform program, the Chief Information Officer, and
19 the Principal Cyber Advisor shall jointly brief the congres-
20 sional defense committees on the compliance of the De-
21 partment of the Navy with the requirements of such sec-
22 tion, as amended by paragraph (1).

1 **SEC. 1635. EXPANSION OF AUTHORITY FOR ACCESS AND IN-**
2 **FORMATION RELATING TO CYBER ATTACKS**
3 **ON OPERATIONALLY CRITICAL CONTRAC-**
4 **TORS OF THE ARMED FORCES.**

5 Section 391(e) of title 10, United States Code, is
6 amended—

7 (1) by amending paragraph (3) to read as fol-
8 lows:

9 “(3) ARMED FORCES ASSISTANCE AND ACCESS
10 TO EQUIPMENT AND INFORMATION BY MEMBERS OF
11 THE ARMED FORCES.—The procedures established
12 pursuant to subsection (a) shall—

13 “(A) include mechanisms for a member of
14 the armed forces—

15 “(i) if requested by an operationally
16 critical contractor, to assist the contractor
17 in detecting and mitigating penetrations;
18 or

19 “(ii) at the request of the Secretary of
20 Defense or the Commandant of the Coast
21 Guard, to obtain access to equipment or
22 information of an operationally critical
23 contractor necessary to conduct a forensic
24 analysis, in addition to any analysis con-
25 ducted by the contractor; and

1 “(B) provide that an operationally critical
2 contractor is only required to provide access to
3 equipment or information as described in sub-
4 paragraph (A) to determine whether—

5 “(i) information created by or for the
6 armed forces in connection with any pro-
7 gram of the armed forces was successfully
8 exfiltrated from or compromised on a net-
9 work or information system of such con-
10 tractor and, if so, what information was
11 exfiltrated or compromised; or

12 “(ii) the ability of the contractor to
13 provide operationally critical support has
14 been affected and, if so, how and to what
15 extent it has been affected.”;

16 (2) in paragraph (4), by inserting “, so as to
17 minimize delays in or any curtailing of the cyber re-
18 sponse or defensive actions of the Department or the
19 Coast Guard” after “specific person”; and

20 (3) in paragraph (5)(C), by inserting “or coun-
21 terintelligence activities” after “investigations”.

1 **SEC. 1636. REQUIREMENTS FOR REVIEW OF AND LIMITA-**
2 **TIONS ON THE JOINT REGIONAL SECURITY**
3 **STACKS ACTIVITY.**

4 (a) **BASELINE REVIEW.**—Not later than October 1,
5 2021, the Secretary of Defense shall undertake a baseline
6 review of the Joint Regional Security Stacks (JRSS) to
7 determine whether the activity—

8 (1) should proceed as a program of record, with
9 modifications as specified in section (b), for exclu-
10 sively the Non-Classified Internet Protocol Network
11 (NIPRNET) or for such network and the Secret
12 Internet Protocol Network (SIPRNET); or

13 (2) should be phased out across the Depart-
14 ment of Defense with each of the Joint Regional Se-
15 curity Stacks replaced through the institution of
16 cost-effective and capable networking and cybersecu-
17 rity technologies, architectures, and operational con-
18 cepts within five years of the date of the enactment
19 of this Act.

20 (b) **PLAN TO TRANSITION TO PROGRAM OF**
21 **RECORD.**—If the Secretary determines under subsection
22 (a) that the Joint Regional Security Stacks activity should
23 proceed, not later than October 1, 2021, the Secretary
24 shall develop a plan to transition such activity to a pro-
25 gram of record, governed by standard Department of De-

1 fense acquisition program requirements and practices, in-
2 cluding the following:

3 (1) Baseline operational requirements docu-
4 mentation.

5 (2) An acquisition strategy and baseline.

6 (3) A program office and responsible program
7 manager, under the oversight of the Under Sec-
8 retary of Defense for Acquisition and Sustainment
9 and the Chief Information Officer of the Depart-
10 ment of Defense, responsible for pertinent doctrine,
11 organization, training, materiel, leadership and edu-
12 cation, personnel, facilities and policy matters, and
13 the development of effective tactics, techniques, and
14 procedures;

15 (4) manning and training requirements docu-
16 mentation; and

17 (5) operational test planning.

18 (c) LIMITATIONS.—

19 (1) LIMITATION ON USE OF FUNDS.—None of
20 the funds authorized to be appropriated by this Act
21 may be used to field Joint Regional Security Stacks
22 on the Secret Internet Protocol Network in fiscal
23 year 2021.

24 (2) LIMITATION ON OPERATIONAL DEPLOY-
25 MENT.—The Secretary may not conduct an oper-

1 ational deployment of Joint Regional Security
2 Stacks to the Secret Internet Protocol Network in
3 fiscal year 2021.

4 (d) SUBMITTAL TO CONGRESS.—Not later than De-
5 cember 1, 2021, the Secretary shall submit to the congres-
6 sional defense committees—

7 (1) the findings of the Secretary with respect to
8 the baseline review conducted under subsection (a);

9 (2) the plan developed under subsection (b), if
10 any; and

11 (3) a proposal for the replacement of Joint Re-
12 gional Security Stacks, if the Secretary determines
13 under subsection (a) that it should be replaced.

14 **SEC. 1637. INDEPENDENT ASSESSMENT OF ESTABLISH-**
15 **MENT OF A NATIONAL CYBER DIRECTOR.**

16 (a) ASSESSMENT.—Not later than December 1,
17 2020, the Secretary of Defense, in coordination with the
18 Secretary of Homeland Security, shall seek to enter into
19 an agreement with an independent organization with rel-
20 evant expertise in cyber policy and governmental organiza-
21 tion to conduct and complete an assessment of the feasi-
22 bility and advisability of establishing a National Cyber Di-
23 rector.

24 (b) ELEMENTS.—The assessment required under
25 subsection (a) shall include a review of and development

1 of recommendations germane to the following, including
2 the development of proposed legislative text for the estab-
3 lishment of a National Cyber Director:

4 (1) The authorities necessary to bring capabili-
5 ties and capacities together across the interagency,
6 all levels of government, and the private sector.

7 (2) A definition of the roles of the National
8 Cyber Director in planning, preparing, and directing
9 integrated cyber operations in response to a major
10 cyber attack on the United States, including intel-
11 ligence operations, law enforcement actions, cyber ef-
12 fects operations, defensive operations, and incident
13 response operations.

14 (3) The authorities necessary to align resources
15 to cyber priorities.

16 (4) The structure of the office of the National
17 Cyber Director and position within government.

18 (c) REPORT.—

19 (1) IN GENERAL.—Not later than March 1,
20 2021, the Secretary of Defense shall submit to the
21 appropriate committees of Congress a report on—

22 (A) the findings of the independent organi-
23 zation with respect to the assessment carried
24 out under subsection (a); and

1 (B) the recommendations developed as
2 part of such assessment under subsection (b).

3 (2) FORM.—The report submitted under para-
4 graph (1) shall be submitted in a publicly releasable
5 and unclassified format, but may include a classified
6 annex.

7 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
8 FINED.—In this section, the term “appropriate commit-
9 tees of Congress” means—

10 (1) the Committee on Armed Services and the
11 Committee on Homeland Security and Governmental
12 Affairs of the Senate; and

13 (2) the Committee on Armed Services and the
14 Committee on Homeland Security of the House of
15 Representatives.

16 **SEC. 1638. MODIFICATION OF AUTHORITY TO USE OPER-**
17 **ATION AND MAINTENANCE FUNDS FOR**
18 **CYBER OPERATIONS-PECULIAR CAPABILITY**
19 **DEVELOPMENT PROJECTS.**

20 (a) IN GENERAL.—Section 1640 of the National De-
21 fense Authorization Act for Fiscal Year 2020 (Public Law
22 116–92) is amended—

23 (1) by redesignating subsections (b) and (c) as
24 subsections (c) and (d), respectively;

25 (2) in subsection (a)—

1 (A) by striking “The Secretary of De-
2 fense” and inserting “Subject to subsection (b),
3 the Commander of the United States Cyber
4 Command”;

5 (B) by striking “per service” and inserting
6 “per use”; and

7 (C) by striking “through 2022” and insert-
8 ing “through 2025”; and

9 (3) by inserting after subsection (a) the fol-
10 lowing:

11 “(b) LIMITATION.—(1) Each fiscal year, the Secre-
12 taries of the military departments concerned may each ob-
13 ligate and expend under subsection (a) not more than
14 \$20,000,000.

15 “(2) Each fiscal year, the Commander of the United
16 States Cyber Command may obligate and expend under
17 subsection (a) not more than \$6,000,000.”.

18 (b) CONFORMING AMENDMENT.—Subsection (c) of
19 such section is amended by striking “through 2022” and
20 inserting “through 2025”.

1 **SEC. 1639. PERSONNEL MANAGEMENT AUTHORITY FOR**
2 **COMMANDER OF UNITED STATES CYBER**
3 **COMMAND AND DEVELOPMENT PROGRAM**
4 **FOR OFFENSIVE CYBER OPERATIONS.**

5 (a) PERSONNEL MANAGEMENT AUTHORITY FOR
6 COMMANDER OF UNITED STATES CYBER COMMAND TO
7 ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.—
8 Section 1599h of title 10, United States Code, as amended
9 by section 212 of National Defense Authorization Act for
10 Fiscal Year 2020 (Public Law 116–92)), is further
11 amended—

12 (1) in subsection (a), by adding at the end the
13 following:

14 “(7) UNITED STATES CYBER COMMAND.—The
15 Commander of United States Cyber Command may
16 carry out a program of personnel management au-
17 thority provided in subsection (b) in order to facili-
18 tate the recruitment of eminent experts in computer
19 science, data science, engineering, mathematics, and
20 computer network exploitation within the head-
21 quarters of United States Cyber Command and the
22 Cyber National Mission Force.”; and

23 (2) in subsection (b)(1)—

24 (A) in subparagraph (E), by striking “;
25 and” and inserting a semicolon;

1 (B) in subparagraph (F), by striking the
2 semicolon and inserting “; and”; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(G) in the case of United States Cyber
6 Command, appoint computer scientists, data
7 scientists, engineers, mathematicians, and com-
8 puter network exploitation specialists to a total
9 of not more than 10 scientific and engineering
10 positions in the Command;”.

11 (b) PROGRAM TO DEVELOP ACCESSES, DISCOVER
12 VULNERABILITIES, AND ENGINEER CYBER TOOLS AND
13 DEVELOP TACTICS, TECHNIQUES, AND PROCEDURES FOR
14 OFFENSIVE CYBER OPERATIONS.—

15 (1) IN GENERAL.—Pursuant to the authority
16 provided under section 1599h(a)(7) of such title, as
17 added by subsection (a), the Commander of United
18 States Cyber Command shall establish a program or
19 augment an existing program within the Command
20 to develop accesses, discover vulnerabilities, and en-
21 gineer cyber tools and develop tactics, techniques,
22 and procedures for the use of these assets and capa-
23 bilities in offensive cyber operations.

24 (2) ELEMENTS.—The program or augmented
25 program required by paragraph (1) shall—

1 (A) develop accesses, tools, vulnerabilities,
2 and tactics, techniques, and procedures fit for
3 Department of Defense military operations in
4 cyberspace, such as reliability, meeting short
5 development and operational timelines, low cost,
6 and expendability;

7 (B) aim to decrease the reliance of Cyber
8 Command on accesses, tools, and expertise pro-
9 vided by the intelligence community;

10 (C) be designed to provide technical and
11 operational expertise on par with that of pro-
12 grams of the intelligence community;

13 (D) enable the Commander to attract and
14 retain expertise resident in the private sector
15 and other technologically elite government orga-
16 nizations; and

17 (E) coordinate development activities with,
18 and, as appropriate, facilitate transition of ca-
19 pabilities from, the Defense Advanced Research
20 Projects Agency, the Strategic Capabilities Of-
21 fice, and components within the intelligence
22 community.

23 (3) INTELLIGENCE COMMUNITY DEFINED.—In
24 this subsection, the term “intelligence community”

1 has the meaning given such term in section 3 of the
2 National Security Act of 1947 (50 U.S.C. 3003).

3 **SEC. 1640. IMPLEMENTATION OF INFORMATION OPER-**
4 **ATIONS MATTERS.**

5 Of the amounts authorized to be appropriated for fis-
6 cal year 2021 by section 301 for operation and mainte-
7 nance and available for the Office of the Secretary of De-
8 fense for the travel of persons as specified in the table
9 in section 4301—

10 (1) not more than 25 percent shall be available
11 until the date on which the report required by sub-
12 section (h)(1) of section 1631 of the National De-
13 fense Authorization Act for Fiscal Year 2020 (Pub-
14 lic Law 116–92) is submitted to the Committee on
15 Armed Services of the Senate and the Committee on
16 Armed Services House of Representatives; and

17 (2) not more than 75 percent shall be available
18 until the date on which the strategy and posture re-
19 view required by subsection (g) of such section is
20 submitted to such committees.

21 **SEC. 1641. REPORT ON CYBER INSTITUTES PROGRAM.**

22 Section 1640 of the John S. McCain National De-
23 fense Authorization Act for Fiscal Year 2019 (Public Law
24 115–232; 132 Stat. 2310; 10 U.S.C. 2200 note) is amend-
25 ed by adding at the end the following:

1 “(g) REPORT TO CONGRESS.—Not later than Sep-
2 tember 30, 2021, the Secretary of Defense shall submit
3 to the Committees on Armed Services of the Senate and
4 the House of Representatives a report on the effectiveness
5 of the Cyber Institutes and on opportunities to expand the
6 Cyber Institutes to additional select institutions of higher
7 learning that have a Reserve Officers’ Training Corps pro-
8 gram.”.

9 **SEC. 1642. ASSISTANCE FOR SMALL MANUFACTURERS IN**
10 **THE DEFENSE INDUSTRIAL SUPPLY CHAIN**
11 **ON MATTERS RELATING TO CYBERSECURITY.**

12 (a) IN GENERAL.—Subject to the availability of ap-
13 propriations, the Secretary of Defense, in consultation
14 with the Director of the National Institute of Standards
15 and Technology, may award financial assistance to a Cen-
16 ter for the purpose of providing cybersecurity services to
17 small manufacturers.

18 (b) CRITERIA.—The Secretary, in consultation with
19 the Director, shall establish and publish on the grants.gov
20 website, or successor website, criteria for selecting recipi-
21 ents for financial assistance under this section.

22 (c) USE OF FINANCIAL ASSISTANCE.—Financial as-
23 sistance under this section—

1 (1) shall be used by a Center to provide small
2 manufacturers with cybersecurity services relating
3 to—

4 (A) compliance with the cybersecurity re-
5 quirements of the Department of Defense Sup-
6 plement to the Federal Acquisition Regulation,
7 including awareness, assessment, evaluation,
8 preparation, and implementation of cybersecu-
9 rity services; and

10 (B) achieving compliance with the Cyberse-
11 curity Maturity Model Certification framework
12 of the Department of Defense; and

13 (2) may be used by a Center to employ trained
14 personnel to deliver cybersecurity services to small
15 manufacturers.

16 (d) BIENNIAL REPORTS.—

17 (1) IN GENERAL.—Not less frequently than
18 once every two years, the Secretary shall submit to
19 the congressional defense committees, the Committee
20 on Commerce, Science, and Transportation of the
21 Senate, and the Committee on Science, Space, and
22 Technology of the House of Representatives a bien-
23 nial report on financial assistance awarded under
24 this section.

1 (2) CONTENTS.—To the extent practicable,
2 each report submitted under paragraph (1) shall in-
3 clude the following with respect to the years covered
4 by the report:

5 (A) The number of small manufacturing
6 companies assisted.

7 (B) A description of the cybersecurity serv-
8 ices provided.

9 (C) A description of the cybersecurity mat-
10 ters addressed.

11 (D) An analysis of the operational effec-
12 tiveness and cost-effectiveness of the cybersecu-
13 rity services provided.

14 (e) TERMINATION.—The authority of the Secretary
15 to award of financial assistance under this section shall
16 terminate on the date that is five years after the date of
17 the enactment of this Act.

18 (f) DEFINITIONS.—In this section:

19 (1) The term “Center” has the meaning given
20 such term in section 25(a) of the National Institute
21 of Standards and Technology Act (15 U.S.C.
22 278k(a)).

23 (2) The term “small manufacturer” has the
24 meaning given that term in section 1644(g) of the
25 John S. McCain National Defense Authorization Act

1 for Fiscal Year 2019 (Public Law 115–232; 10
2 U.S.C. 2224 note).

3 **SEC. 1643. STUDY ON CYBEREXPLOITATION OF MEMBERS**
4 **OF THE ARMED FORCES AND THEIR FAMI-**
5 **LIES.**

6 (a) **STUDY REQUIRED.**—Not later than 150 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall complete a study on the cyberexploitation
9 of the personal information and accounts of members of
10 the Armed Forces and their families.

11 (b) **ELEMENTS.**—The study required by subsection
12 (a) shall include the following:

13 (1) An intelligence assessment of the threat
14 currently posed by foreign government and non-state
15 actor cyberexploitation of members of the Armed
16 Forces and their families, including generalized as-
17 sessments as to whether cyberexploitation of mem-
18 bers of the Armed Forces and their families is a
19 substantial threat as compared to other means of in-
20 formation warfare and as to whether
21 cyberexploitation of members of the Armed Forces
22 and their families is an increasing threat.

23 (2) Case-study analysis of three known occur-
24 rences of attempted cyberexploitation against mem-
25 bers of the Armed Forces and their families, includ-

1 ing assessments of the vulnerability and the ultimate
2 consequences of the attempted cyberexploitation.

3 (3) A description of the actions taken by the
4 Department of Defense to educate members of the
5 Armed Forces and their families, including particu-
6 larly vulnerable subpopulations, about any actions
7 that can be taken to reduce these threats.

8 (4) An intelligence assessment of the threat
9 posed by foreign government and non-state actor
10 creation and use of deep fakes featuring members of
11 the Armed Forces or their families, including gener-
12 alized assessments of the maturity of the technology
13 used in the creation of deep fakes and as to how
14 deep fakes have been used or might be used to con-
15 duct information warfare.

16 (5) Development of recommendations for policy
17 changes to reduce the vulnerability of members of
18 the Armed Forces and their families to
19 cyberexploitation, including recommendations for
20 legislative or administrative action.

21 (c) REPORT.—

22 (1) IN GENERAL.—The Secretary shall submit
23 to the congressional defense committees a report on
24 the findings of the Secretary with respect to the
25 study required by subsection (a).

1 (2) FORM.—The report required by paragraph
2 (1) shall be submitted in unclassified form, but may
3 include a classified annex.

4 (d) DEFINITIONS.—In this section:

5 (1) The term “cyberexploitation” means the use
6 of digital means to knowingly access, or conspire to
7 access, without authorization, an individual’s per-
8 sonal information to be employed (or to be used)
9 with malicious intent.

10 (2) The term “deep fake” means the digital in-
11 sertion of a person’s likeness into or digital alter-
12 ation of a person’s likeness in visual media, such as
13 photographs and videos, without the person’s per-
14 mission and with malicious intent.

15 **Subtitle C—Nuclear Forces**

16 **SEC. 1651. MODIFICATION TO RESPONSIBILITIES OF NU-** 17 **CLEAR WEAPONS COUNCIL.**

18 Section 179(d) of title 10, United States Code, is
19 amended—

20 (1) by redesignating paragraphs (9) through
21 (12) as paragraphs (10) through (13), respectively;
22 and

23 (2) by inserting after paragraph (8) the fol-
24 lowing new paragraph (9):

1 “(9) Reviewing proposed capabilities, and estab-
 2 lishing and validating performance requirements (as
 3 defined in section 181(h) of this title), for nuclear
 4 warhead programs.”.

5 **SEC. 1652. RESPONSIBILITY OF NUCLEAR WEAPONS COUN-**
 6 **CIL IN PREPARATION OF NATIONAL NU-**
 7 **CLEAR SECURITY ADMINISTRATION BUDGET.**

8 Paragraph (11) of section 179(d) of title 10, United
 9 States Code, as redesignated by section 1651, is further
 10 amended to read as follows:

11 “(11) As part of the planning, programming,
 12 budgeting, and execution process of the National
 13 Nuclear Security Administration—

14 “(A) providing guidance with respect to
 15 the development of the annual budget proposals
 16 of the Administration under section 3255 of the
 17 National Nuclear Security Administration Act;

18 “(B) reviewing the adequacy of such pro-
 19 posals under section 4717 of the Atomic Energy
 20 Defense Act; and

21 “(C) preparing, coordinating, and approv-
 22 ing such proposals, including before such pro-
 23 posals are submitted to—

24 “(i) the Secretary of Energy;

1 “(ii) the Director of the Office of
2 Management and Budget;

3 “(iii) the President; or

4 “(iv) Congress (as submitted with the
5 budget of the President under section
6 1105(a) of title 31).”.

7 **SEC. 1653. MODIFICATION OF GOVERNMENT ACCOUNT-**
8 **ABILITY OFFICE REVIEW OF ANNUAL RE-**
9 **PORTS ON NUCLEAR WEAPONS ENTERPRISE.**

10 Section 492a(c) of title 10, United States Code, is
11 amended—

12 (1) in paragraph (1), by striking “review each
13 report” and inserting “periodically review reports
14 submitted”; and

15 (2) in paragraph (2), by striking “not later”
16 and all that follows through “submitted,”.

17 **SEC. 1654. PROHIBITION ON REDUCTION OF THE INTER-**
18 **CONTINENTAL BALLISTIC MISSILES OF THE**
19 **UNITED STATES.**

20 (a) PROHIBITION.—Except as provided in subsection
21 (b), none of the funds authorized to be appropriated by
22 this Act for fiscal year 2021 for the Department of De-
23 fense may be obligated or expended for the following, and
24 the Department may not otherwise take any action to do
25 the following:

1 (1) Reduce, or prepare to reduce, the respon-
2 siveness or alert level of the intercontinental ballistic
3 missiles of the United States.

4 (2) Reduce, or prepare to reduce, the quantity
5 of deployed intercontinental ballistic missiles of the
6 United States to a number less than 400.

7 (b) EXCEPTION.—The prohibition in subsection (a)
8 shall not apply to any of the following activities:

9 (1) The maintenance or sustainment of inter-
10 continental ballistic missiles.

11 (2) Ensuring the safety, security, or reliability
12 of intercontinental ballistic missiles.

13 **SEC. 1655. SENSE OF THE SENATE ON NUCLEAR COOPERA-**
14 **TION BETWEEN THE UNITED STATES AND**
15 **THE UNITED KINGDOM.**

16 It is the sense of the Senate that—

17 (1) the North Atlantic Treaty Organization
18 (NATO) continues to play an essential role in the
19 national security of the United States and the inde-
20 pendent nuclear deterrents of other NATO members,
21 such as the United Kingdom, have helped under-
22 write peace and security;

23 (2) the nuclear programs of the United States
24 and the United Kingdom have enjoyed significant
25 collaborative benefits as a result of the cooperative

1 relationship formalized in the Agreement for Co-
2 operation on the Uses of Atomic Energy for Mutual
3 Defense Purposes, signed at Washington July 3,
4 1958, and entered into force August 4, 1958 (9
5 UST 1028), between the United States and the
6 United Kingdom (commonly referred to as the “Mu-
7 tual Defense Agreement”);

8 (3) the unique partnership between the United
9 States and the United Kingdom has enhanced sov-
10 ereign military and scientific capabilities, strength-
11 ened bilateral ties, and shared costs, particularly on
12 such programs as the Trident II D-5 weapons sys-
13 tem and the common missile compartment for the
14 future Dreadnought and Columbia classes of sub-
15 marines;

16 (4) additionally, the extension of the nuclear de-
17 terrence commitments of the United Kingdom to
18 members of the NATO alliance strengthens collective
19 security while reducing the burden placed on United
20 States nuclear forces to deter potential adversaries
21 and assure allies of the United States and the
22 United Kingdom;

23 (5) as the international security environment
24 deteriorates and potential adversaries expand and
25 enhance their nuclear forces, the extended deter-

1 rence commitments of the United Kingdom play an
2 increasingly important role in supporting the secu-
3 rity interests of the United States and allies of the
4 United States and the United Kingdom;

5 (6) it is in the national security interest of the
6 United States to support the United Kingdom with
7 respect to the decision of the Government of the
8 United Kingdom to maintain its nuclear deterrent
9 until global security conditions warrant its elimi-
10 nation;

11 (7) as the United States must modernize its
12 aging nuclear forces to ensure its ability to continue
13 to field a nuclear deterrent that is safe, secure, and
14 effective, the United Kingdom faces a similar chal-
15 lenge;

16 (8) bilateral cooperation on the parallel develop-
17 ment of the W93/Mk7 warhead of the United States
18 and the replacement warhead of the United King-
19 dom, as well as associated components, will allow the
20 United States and the United Kingdom to respon-
21 sibly address challenges within their legacy nuclear
22 forces in a cost-effective manner that—

23 (A) preserves independent, sovereign con-
24 trol;

1 (B) is consistent with each country's obli-
 2 gations under the Treaty on the Non-Prolifera-
 3 tion of Nuclear Weapons, done at Washington,
 4 London, and Moscow July 1, 1968 (21 UST
 5 483) (commonly referred to as the "Nuclear
 6 Non-Proliferation Treaty"); and

7 (C) supports nonproliferation objectives;
 8 and

9 (9) continued cooperation between the nuclear
 10 programs of United States and the United Kingdom,
 11 including through the W93/Mk7 program, is essen-
 12 tial to ensuring that the NATO alliance continues to
 13 be supported by credible nuclear forces capable of
 14 preserving peace, preventing coercion, and deterring
 15 aggression.

16 **Subtitle D—Missile Defense** 17 **Programs**

18 **SEC. 1661. IRON DOME SHORT-RANGE ROCKET DEFENSE** 19 **SYSTEM AND ISRAELI COOPERATIVE MISSILE** 20 **DEFENSE PROGRAM CO-DEVELOPMENT AND** 21 **CO-PRODUCTION.**

22 (a) IRON DOME SHORT-RANGE ROCKET DEFENSE
 23 SYSTEM.—

24 (1) AVAILABILITY OF FUNDS.—Of the funds
 25 authorized to be appropriated by this Act for fiscal

1 year 2021 for procurement, Defense-wide, and avail-
2 able for the Missile Defense Agency, not more than
3 \$73,000,000 may be provided to the Government of
4 Israel to procure components for the Iron Dome
5 short-range rocket defense system through co-pro-
6 duction of such components in the United States by
7 industry of the United States.

8 (2) CONDITIONS.—

9 (A) AGREEMENT.—Funds described in
10 paragraph (1) for the Iron Dome short-range
11 rocket defense program shall be available sub-
12 ject to the terms and conditions in the Agree-
13 ment Between the Department of Defense of
14 the United States of America and the Ministry
15 of Defense of the State of Israel Concerning
16 Iron Dome Defense System Procurement,
17 signed on March 5, 2014, as amended to in-
18 clude co-production for Tamir interceptors.

19 (B) CERTIFICATION.—Not later than 30
20 days prior to the initial obligation of funds de-
21 scribed in paragraph (1), the Under Secretary
22 of Defense for Acquisition and Sustainment
23 shall submit to the appropriate congressional
24 committees—

1 (i) a certification that the amended bi-
2 lateral international agreement specified in
3 subparagraph (A) is being implemented as
4 provided in such agreement;

5 (ii) an assessment detailing any risks
6 relating to the implementation of such
7 agreement; and

8 (iii) for system improvements result-
9 ing in modified Iron Dome components
10 and Tamir interceptor sub-components, a
11 certification that the Government of Israel
12 has demonstrated successful completion of
13 Production Readiness Reviews, including
14 the validation of production lines, the
15 verification of component conformance,
16 and the verification of performance to
17 specification as defined in the Iron Dome
18 Defense System Procurement Agreement,
19 as further amended.

20 (b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
21 GRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUC-
22 TION.—

23 (1) IN GENERAL.—Subject to paragraph (3), of
24 the funds authorized to be appropriated for fiscal
25 year 2021 for procurement, Defense-wide, and avail-

1 able for the Missile Defense Agency not more than
2 \$50,000,000 may be provided to the Government of
3 Israel to procure the David's Sling Weapon System,
4 including for co-production of parts and components
5 in the United States by United States industry.

6 (2) AGREEMENT.—Provision of funds specified
7 in paragraph (1) shall be subject to the terms and
8 conditions in the bilateral co-production agreement,
9 including—

10 (A) a one-for-one cash match is made by
11 Israel or in another matching amount that oth-
12 erwise meets best efforts (as mutually agreed to
13 by the United States and Israel); and

14 (B) co-production of parts, components,
15 and all-up rounds (if appropriate) in the United
16 States by United States industry for the Da-
17 vid's Sling Weapon System is not less than 50
18 percent.

19 (3) CERTIFICATION AND ASSESSMENT.—The
20 Under Secretary of Defense for Acquisition and
21 Sustainment shall submit to the appropriate con-
22 gressional committees—

23 (A) a certification that the Government of
24 Israel has demonstrated the successful comple-
25 tion of the knowledge points, technical mile-

1 stones, and production readiness reviews re-
2 quired by the research, development, and tech-
3 nology agreement and the bilateral co-produc-
4 tion agreement for the David's Sling Weapon
5 System; and

6 (B) an assessment detailing any risks re-
7 lating to the implementation of such agreement.

8 (c) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
9 GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM
10 CO-PRODUCTION.—

11 (1) IN GENERAL.—Subject to paragraph (2), of
12 the funds authorized to be appropriated for fiscal
13 year 2021 for procurement, Defense-wide, and avail-
14 able for the Missile Defense Agency not more than
15 \$77,000,000 may be provided to the Government of
16 Israel for the Arrow 3 Upper Tier Interceptor Pro-
17 gram, including for co-production of parts and com-
18 ponents in the United States by United States in-
19 dustry.

20 (2) CERTIFICATION.—The Under Secretary of
21 Defense for Acquisition and Sustainment shall sub-
22 mit to the appropriate congressional committees a
23 certification that—

24 (A) the Government of Israel has dem-
25 onstrated the successful completion of the

1 knowledge points, technical milestones, and pro-
2 duction readiness reviews required by the re-
3 search, development, and technology agreement
4 for the Arrow 3 Upper Tier Interceptor Pro-
5 gram;

6 (B) funds specified in paragraph (1) will
7 be provided on the basis of a one-for-one cash
8 match made by Israel or in another matching
9 amount that otherwise meets best efforts (as
10 mutually agreed to by the United States and
11 Israel);

12 (C) the United States has entered into a
13 bilateral international agreement with Israel
14 that establishes, with respect to the use of such
15 funds—

16 (i) in accordance with subparagraph
17 (D), the terms of co-production of parts
18 and components on the basis of the great-
19 est practicable co-production of parts, com-
20 ponents, and all-up rounds (if appropriate)
21 by United States industry and minimizes
22 nonrecurring engineering and facilitization
23 expenses to the costs needed for co-produc-
24 tion;

1 (ii) complete transparency on the re-
2 quirement of Israel for the number of
3 interceptors and batteries that will be pro-
4 cured, including with respect to the pro-
5 curement plans, acquisition strategy, and
6 funding profiles of Israel;

7 (iii) technical milestones for co-pro-
8 duction of parts and components and pro-
9 curement;

10 (iv) a joint affordability working
11 group to consider cost reduction initiatives;
12 and

13 (v) joint approval processes for third-
14 party sales; and

15 (D) the level of co-production described in
16 subparagraph (C)(i) for the Arrow 3 Upper
17 Tier Interceptor Program is not less than 50
18 percent.

19 (d) NUMBER.—In carrying out paragraph (2) of sub-
20 section (b) and paragraph (2) of subsection (c), the Under
21 Secretary may submit—

22 (1) one certification covering both the David's
23 Sling Weapon System and the Arrow 3 Upper Tier
24 Interceptor Program; or

1 (2) separate certifications for each respective
2 system.

3 (e) TIMING.—The Under Secretary shall submit to
4 the congressional defense committees the certification and
5 assessment under subsection (b)(3) and the certification
6 under subsection (c)(2) no later than 30 days before the
7 funds specified in paragraph (1) of subsections (b) and
8 (c) for the respective system covered by the certification
9 are provided to the Government of Israel.

10 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
11 FINED.—In this section, the term “appropriate congres-
12 sional committees” means the following:

13 (1) The congressional defense committees.

14 (2) The Committee on Foreign Relations of the
15 Senate and the Committee on Foreign Affairs of the
16 House of Representatives.

17 **SEC. 1662. ACCELERATION OF THE DEPLOYMENT OF**
18 **HYPERSONIC AND BALLISTIC TRACKING**
19 **SPACE SENSOR PAYLOAD.**

20 (a) PRIMARY RESPONSIBILITY FOR DEVELOPMENT
21 AND DEPLOYMENT OF HYPERSONIC AND BALLISTIC
22 TRACKING SPACE SENSOR PAYLOAD.—

23 (1) IN GENERAL.—Not later than 15 days after
24 the date of the enactment of this Act, the Secretary
25 shall—

1 (A) assign the Director of the Missile De-
2 fense Agency with the principal responsibility
3 for the development and deployment of a
4 hypersonic and ballistic tracking space sensor
5 payload through the end of fiscal year 2022;
6 and

7 (B) submit to the congressional defense
8 committees certification of such assignment.

9 (2) TRANSITION.—Not later than 90 days after
10 the date of the enactment of this Act, the Secretary
11 shall submit to the congressional defense commit-
12 tees—

13 (A) a determination regarding whether re-
14 sponsibility for a hypersonic and ballistic track-
15 ing space sensor payload should be transitioned
16 to the United States Space Force at the end of
17 fiscal year 2022 or later; and

18 (B) if the Secretary so determines, a plan
19 for transition of primary responsibility that
20 minimizes disruption to the program and pro-
21 vides for sufficient funding as described in sub-
22 section (b)(1).

23 (b) CERTIFICATION REGARDING FUNDING OF
24 HYPERSONIC AND BALLISTIC TRACKING SPACE SENSOR
25 PROGRAM.—

1 (1) IN GENERAL.—At the same time that the
2 President submits to Congress pursuant to section
3 1105 of title 31, United States Code, the annual
4 budget request of the President for fiscal year 2022,
5 the Under Secretary of Defense Comptroller and the
6 Director for Cost Assessment and Program Evalua-
7 tion shall jointly submit to the congressional defense
8 committees a certification as to whether the
9 hypersonic and ballistic tracking space sensor pro-
10 gram is sufficiently funded in the future-years de-
11 fense program.

12 (2) FUNDING LIMITATION.—Of the funds au-
13 thorized to be appropriated by this Act for fiscal
14 year 2021 under the Operations and Maintenance,
15 Defense-Wide, account for the Office of Secretary of
16 Defense travel of persons assigned to the Office of
17 the Under Secretary of Defense for Research and
18 Engineering, not more than 50 percent of such
19 funds may be obligated or expended until the certifi-
20 cation required by paragraph (1) is submitted under
21 such paragraph.

22 (c) DEPLOYMENT DEADLINE.—Section 1683(a) of
23 the National Defense Authorization Act for Fiscal Year
24 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is
25 amended—

1 (1) by striking “(a) IN GENERAL.—” and in-
2 serting the following:

3 “(a) DEVELOPMENT, TESTING, AND DEPLOY-
4 MENT.—

5 “(1) DEVELOPMENT.—”; and

6 (2) by adding at the end the following new
7 paragraphs:

8 “(2) TESTING AND DEPLOYMENT.—The Direc-
9 tor shall begin on-orbit testing of a hypersonic and
10 ballistic tracking space sensor no later than Decem-
11 ber 31, 2022, with full operational deployment as
12 soon as technically feasible thereafter.

13 “(3) WAIVER.—The Secretary of Defense may
14 waive the deadline for testing specified in paragraph
15 (2) if the Secretary submits to the congressional de-
16 fense committees a report containing—

17 “(A) the explanation why the Secretary
18 cannot meet such deadline;

19 “(B) the technical risks and estimated cost
20 of accelerating the program to attempt to meet
21 such deadline;

22 “(C) an assessment of threat systems that
23 could not be detected or tracked persistently
24 due to waiving such deadline; and

1 “(D) a plan, including a timeline, for be-
2 ginning the required testing.”.

3 (d) ASSESSMENT AND REPORT.—Not later than 120
4 days after the date of the enactment of this Act, the Chair
5 of the Joint Requirements Oversight Council established
6 under section 181 of title 10, United States Code, shall—

7 (1) complete an assessment on whether all ef-
8 forts being made by the Missile Defense Agency, the
9 Defense Advanced Research Projects Agency, the
10 Air Force, and the Space Development Agency relat-
11 ing to space-based sensing and tracking capabilities
12 for missile defense are aligned with the requirements
13 of United States Strategic Command, United States
14 Northern Command, United States European Com-
15 mand, and United States Indo-Pacific Command for
16 missile tracking and missile warning that have been
17 validated by the Joint Requirements Oversight
18 Council; and

19 (2) submit to the congressional defense commit-
20 tees a report on the findings of the Chair with re-
21 spect to the assessment conducted under paragraph
22 (1).

1 **SEC. 1663. EXTENSION OF PROHIBITION RELATING TO MIS-**
2 **SILE DEFENSE INFORMATION AND SYSTEMS.**

3 Section 130h(e) of title 10, United States Code, is
4 amended by striking “January 1, 2021” and inserting
5 “January 1, 2026”.

6 **SEC. 1664. REPORT ON AND LIMITATION ON EXPENDITURE**
7 **OF FUNDS FOR LAYERED HOMELAND MIS-**
8 **SILE DEFENSE SYSTEM.**

9 (a) REPORT REQUIRED.—

10 (1) IN GENERAL.—Not later than March 1,
11 2021, the Director of the Missile Defense Agency
12 shall submit to the congressional defense committees
13 a report on the proposal for a layered homeland mis-
14 sile defense system included in the budget justifica-
15 tion materials submitted to Congress in support of
16 the budget for the Department of Defense for fiscal
17 year 2021 (as submitted with the budget of the
18 President for such year under section 1105(a) of
19 title 31, United States Code).

20 (2) ELEMENTS REQUIRED.—The report re-
21 quired by paragraph (1) shall include the following:

22 (A) A description of the approved require-
23 ments for a layered homeland missile defense
24 system, based on an assessment by the intel-
25 ligence community of threats to be addressed at
26 the time of deployment of such a system.

1 (B) An assessment of how such require-
2 ments addressed by a layered homeland missile
3 defense system relate to those addressed by the
4 existing ground-based midcourse defense sys-
5 tem, including deployed ground-based intercep-
6 tors and planned upgrades to such ground-
7 based interceptors.

8 (C) An analysis of interceptor solutions to
9 meet such requirements, to include land-based
10 Standard Missile 3 (SM-3) Block IIA inter-
11 ceptor systems and the Terminal High Altitude
12 Area Defense (THAAD) system, with the num-
13 ber of locations required for deployment and
14 the production numbers of interceptors and re-
15 lated sensors.

16 (D) A site-specific fielding plan that in-
17 cludes possible locations, the number and type
18 of interceptors and radars in each location, and
19 any associated environmental or permitting con-
20 siderations, including an assessment of the loca-
21 tions evaluated pursuant to section 227(b) of
22 the National Defense Authorization Act for Fis-
23 cal Year 2013 (126 Stat. 1679; Public Law
24 112-239) for inclusion in the layered homeland
25 missile defense system.

1 (E) Relevant policy considerations for de-
2 ployment of such systems for defense against
3 intercontinental ballistic missiles in the conti-
4 nental United States.

5 (F) A cost estimate and schedule for op-
6 tions involving a land-based Standard Missile 3
7 Block IIA interceptor system and the Terminal
8 High Altitude Area Defense system, including
9 required environmental assessments.

10 (G) A feasibility assessment of the nec-
11 essary modifications to the Terminal High Altitude
12 Area Defense system to address such re-
13 quirements.

14 (H) An assessment of the industrial base
15 capacity to support additional production of ei-
16 ther a land-based Standard Missile 3 Block IIA
17 interceptor system or the Terminal High Altitude
18 Area Defense system.

19 (3) CONSULTATION.—In preparing the report
20 required by paragraph (1), the Director shall consult
21 with the following:

22 (A) The Under Secretary of Defense for
23 Policy.

24 (B) The Under Secretary of Defense for
25 Acquisition and Sustainment.

1 (C) The Vice Chairman of the Joint Chiefs
2 of Staff, in Vice Chairman’s capacity as the
3 Chair of the Joint Requirements Oversight
4 Council.

5 (D) The Commander, United States Stra-
6 tegic Command.

7 (E) The Commander, United States
8 Northern Command.

9 (b) LIMITATION ON USE OF FUNDS.—Not more than
10 50 percent of the amounts authorized to be appropriated
11 by this Act for fiscal year 2021 for the Missile Defense
12 Agency for the purposes of a layered homeland missile de-
13 fense system may be obligated or expended until the Di-
14 rector submits to the congressional defense committees the
15 report required by subsection (a).

16 (c) INTELLIGENCE COMMUNITY DEFINED.—In this
17 section, the term “intelligence community” has the mean-
18 ing given such term in section 3 of the National Security
19 Act of 1947 (50 U.S.C. 3003).

1 **SEC. 1665. EXTENSION OF REQUIREMENT FOR COMP-**
2 **TROLLER GENERAL REVIEW AND ASSESS-**
3 **MENT OF MISSILE DEFENSE ACQUISITION**
4 **PROGRAMS.**

5 Section 232(a) of the National Defense Authorization
6 Act for Fiscal Year 2012 (Public Law 112–81) is amend-
7 ed—

8 (1) in paragraph (1), by striking “through
9 2020” and inserting “through 2025”;

10 (2) in paragraph (2)—

11 (A) by striking “through 2021” and insert-
12 ing “through 2026”; and

13 (B) by striking “year. Each” and all that
14 follows through “appropriate.” and insert the
15 following: “, which shall include such findings
16 and recommendations as the Comptroller Gen-
17 eral considers appropriate.”; and

18 (3) by adding at the end the following new sub-
19 section:

20 “(3) REVIEW OF EMERGING ISSUES.—In car-
21 rying out this subsection, as the Comptroller General
22 determines is warranted, the Comptroller General
23 shall review emerging issues and, in consultation
24 with the congressional defense committees, brief
25 such committees or submit to such committees a re-

1 port on the findings of the Comptroller General with
2 respect to such review.”.

3 **SEC. 1666. REPEAL OF REQUIREMENT FOR REPORTING**
4 **STRUCTURE OF MISSILE DEFENSE AGENCY.**

5 Section 205 of title 10, United States Code, is
6 amended to read as follows:

7 **“§ 205. Missile Defense Agency**

8 “The Director of the Missile Defense Agency shall be
9 appointed for a six-year term.”.

10 **SEC. 1667. GROUND-BASED MIDCOURSE DEFENSE INTERIM**
11 **CAPABILITY.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) the nuclear and ballistic missile threats
15 from rogue nations are increasing; and

16 (2) the Department of Defense should fully as-
17 sess development of an interim ground-based missile
18 defense capability while also pursuing the develop-
19 ment of a next generation interceptor capability.

20 (b) INTERIM GROUND-BASED INTERCEPTOR.—

21 (1) DEVELOPMENT.—Not later than 30 days
22 after the date of the enactment of this Act, the Sec-
23 retary of Defense, acting through the Director of the
24 Missile Defense Agency and in coordination with the
25 Under Secretary of Defense for Acquisition and

1 Sustainment, the Commander of the United States
2 Northern Command, and the Commander of the
3 United States Strategic Command, shall commence
4 carrying out a program to develop an interim
5 ground-based interceptor capability that will—

6 (A) use sound acquisition practices;

7 (B) address the majority of current and
8 near- to mid-term projected ballistic missile
9 threats to the United States homeland from
10 rogue nations;

11 (C) at minimum, meet the proposed capa-
12 bilities of the Redesigned Kill Vehicle program;

13 (D) leverage existing kill vehicle and boost-
14 er technology; and

15 (E) appropriately balance interceptor per-
16 formance with schedule of delivery.

17 (2) DEPLOYMENT.—The Secretary of Defense,
18 acting through the Director of the Missile Defense
19 Agency and in coordination with the Under Sec-
20 retary of Defense for Acquisition and Sustainment,
21 the Commander of the United States Northern Com-
22 mand, and the Commander of the United States
23 Strategic Command, shall—

24 (A) conduct rigorous flight testing of the
25 interim ground-based interceptor; and

1 (B) deliver 20 new ground-based intercept-
2 tors by 2026.

3 (3) WAIVER AUTHORITY.—(A) The Secretary of
4 Defense may waive the requirements under para-
5 graphs (1) and (2) if the Secretary certifies to the
6 congressional defense committees that—

7 (i) the technology development is not tech-
8 nically feasible;

9 (ii) the interim capability development is
10 not in the national security interest of the
11 United States; or

12 (iii) the next generation interceptor for the
13 ground-based midcourse defense system can de-
14 liver capability before the program otherwise re-
15 quired by this subsection.

16 (B) If the Secretary chooses to waive the re-
17 quirements under paragraphs (1) and (2), the Sec-
18 retary shall submit to the congressional defense com-
19 mittees along with the certification required by sub-
20 paragraph (A) of this paragraph—

21 (i) an explanation of the rationale for the
22 decision;

23 (ii) an estimate of projected rogue nation
24 threats to the United States homeland that will
25 not be defended against until the fielding of the

1 next generation interceptor for the ground-
2 based midcourse defense system; and

3 (iii) an updated schedule for development
4 and deployment of the next generation inter-
5 ceptor.

6 (C) The Secretary may not delegate the certifi-
7 cation described in subparagraphs (A) and (B) un-
8 less the Secretary is recused, in which case the Sec-
9 retary may delegate such certification to the Deputy
10 Secretary of Defense.

11 (c) CAPABILITIES AND CRITERIA.—The Director
12 shall ensure that the interim ground-based interceptor de-
13 veloped under subsection (c)(1) meets, at a minimum, the
14 following capabilities and criteria:

15 (1) Vehicle-to-vehicle communications, as appli-
16 cable.

17 (2) Vehicle-to-ground communications.

18 (3) Kill assessment capability.

19 (4) The ability to counter advanced counter
20 measures, decoys, and penetration aids.

21 (5) Producibility and manufacturability.

22 (6) Use of technology involving high technology
23 readiness levels.

24 (7) Options to integrate the new kill vehicle
25 onto other missile defense interceptor vehicles other

1 than the ground-based interceptors of the ground-
2 based midcourse defense system.

3 (8) Sound acquisition processes.

4 (d) REPORT ON FUNDING PROFILE.—The Director
5 shall include with the budget justification materials sub-
6 mitted to Congress in support of the budget of the Depart-
7 ment of Defense for fiscal year 2022 (as submitted with
8 the budget of the President under section 1105(a) of title
9 31, United States Code) a report on the funding profile
10 necessary for the interim ground-based interceptor pro-
11 gram to meet the objectives under subsection (c).

12 **TITLE XVII—HONG KONG**
13 **AUTONOMY ACT**

14 **SEC. 1701. SHORT TITLE.**

15 This title may be cited as the “Hong Kong Autonomy
16 Act”.

17 **SEC. 1702. DEFINITIONS.**

18 In this title:

19 (1) ALIEN; NATIONAL; NATIONAL OF THE
20 UNITED STATES.—The terms “alien”, “national”,
21 and “national of the United States” have the mean-
22 ings given those terms in section 101 of the Immi-
23 gration and Nationality Act (8 U.S.C. 1101).

1 (2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES AND LEADERSHIP.—The term “appropriate
3 congressional committees and leadership” means—

4 (A) the Committee on Armed Services, the
5 Committee on Banking, Housing, and Urban
6 Affairs, the Committee on Foreign Relations,
7 the Committee on Homeland Security and Gov-
8 ernmental Affairs, the Committee on the Judi-
9 ciary, the Select Committee on Intelligence, and
10 the majority leader and the minority leader of
11 the Senate; and

12 (B) the Committee on Armed Services, the
13 Committee on Financial Services, the Com-
14 mittee on Foreign Affairs, the Committee on
15 Homeland Security, the Committee on the Judi-
16 ciary, the Permanent Select Committee on In-
17 telligence, and the Speaker and the minority
18 leader of the House of Representatives.

19 (3) BASIC LAW.—The term “Basic Law” means
20 the Basic Law of the Hong Kong Special Adminis-
21 trative Region of the People’s Republic of China.

22 (4) CHINA.—The term “China” means the Peo-
23 ple’s Republic of China.

24 (5) ENTITY.—The term “entity” means a part-
25 nership, joint venture, association, corporation, orga-

1 nization, network, group, or subgroup, or any other
2 form of business collaboration.

3 (6) FINANCIAL INSTITUTION.—The term “fi-
4 nancial institution” means a financial institution
5 specified in section 5312(a)(2) of title 31, United
6 States Code.

7 (7) HONG KONG.—The term “Hong Kong”
8 means the Hong Kong Special Administrative Re-
9 gion of the People’s Republic of China.

10 (8) JOINT DECLARATION.—The term “Joint
11 Declaration” means the Joint Declaration of the
12 Government of the United Kingdom of Great Britain
13 and Northern Ireland and the Government of the
14 People’s Republic of China on the Question of Hong
15 Kong, done at Beijing on December 19, 1984.

16 (9) KNOWINGLY.—The term “knowingly”, with
17 respect to conduct, a circumstance, or a result,
18 means that a person has actual knowledge of the
19 conduct, the circumstance, or the result.

20 (10) PERSON.—The term “person” means an
21 individual or entity.

22 (11) UNITED STATES PERSON.—The term
23 “United States person” means—

24 (A) any citizen or national of the United
25 States;

1 (B) any alien lawfully admitted for perma-
2 nent residence in the United States;

3 (C) any entity organized under the laws of
4 the United States or any jurisdiction within the
5 United States (including a foreign branch of
6 such an entity); or

7 (D) any person located in the United
8 States.

9 **SEC. 1703. FINDINGS.**

10 Congress makes the following findings:

11 (1) The Joint Declaration and the Basic Law
12 clarify certain obligations and promises that the
13 Government of China has made with respect to the
14 future of Hong Kong.

15 (2) The obligations of the Government of China
16 under the Joint Declaration were codified in a le-
17 gally-binding treaty, signed by the Government of
18 the United Kingdom of Great Britain and Northern
19 Ireland and registered with the United Nations.

20 (3) The obligations of the Government of China
21 under the Basic Law originate from the Joint Dec-
22 laration, were passed into the domestic law of China
23 by the National People's Congress, and are widely
24 considered by citizens of Hong Kong as part of the
25 de facto legal constitution of Hong Kong.

1 (4) Foremost among the obligations of the Gov-
2 ernment of China to Hong Kong is the promise that,
3 pursuant to Paragraph 3b of the Joint Declaration,
4 “the Hong Kong Special Administrative Region will
5 enjoy a high degree of autonomy, except in foreign
6 and defence affairs which are the responsibilities of
7 the Central People’s Government”.

8 (5) The obligation specified in Paragraph 3b of
9 the Joint Declaration is referenced, reinforced, and
10 extrapolated on in several portions of the Basic Law,
11 including Articles 2, 12, 13, 14, and 22.

12 (6) Article 22 of the Basic Law establishes that
13 “No department of the Central People’s Government
14 and no province, autonomous region, or municipality
15 directly under the Central Government may interfere
16 in the affairs which the Hong Kong Special Admin-
17 istrative Region administers on its own in accord-
18 ance with this Law.”.

19 (7) The Joint Declaration and the Basic Law
20 make clear that additional obligations shall be un-
21 dertaken by China to ensure the “high degree of au-
22 tonomy” of Hong Kong.

23 (8) Paragraph 3c of the Joint Declaration
24 states, as reinforced by Articles 2, 16, 17, 18, 19,
25 and 22 of the Basic Law, that Hong Kong “will be

1 vested with executive, legislative and independent ju-
2 dicial power, including that of final adjudication”.

3 (9) On multiple occasions, the Government of
4 China has undertaken actions that have contravened
5 the letter or intent of the obligation described in
6 paragraph (8) of this section, including the fol-
7 lowing:

8 (A) In 1999, the Standing Committee of
9 the National People’s Congress overruled a de-
10 cision by the Hong Kong Court of Final Appeal
11 on the right of abode.

12 (B) On multiple occasions, the Government
13 of Hong Kong, at the advice of the Government
14 of China, is suspected to have not allowed per-
15 sons entry into Hong Kong allegedly because of
16 their support for democracy and human rights
17 in Hong Kong and China.

18 (C) The Liaison Office of China in Hong
19 Kong has, despite restrictions on interference in
20 the affairs of Hong Kong as detailed in Article
21 22 of the Basic Law—

22 (i) openly expressed support for can-
23 didates in Hong Kong for Chief Executive
24 and Legislative Council;

1 (ii) expressed views on various policies
2 for the Government of Hong Kong and
3 other internal matters relating to Hong
4 Kong; and

5 (iii) on April 17, 2020, asserted that
6 both the Liaison Office of China in Hong
7 Kong and the Hong Kong and Macau Af-
8 fairs Office of the State Council “have the
9 right to exercise supervision . . . on affairs
10 regarding Hong Kong and the mainland,
11 in order to ensure correct implementation
12 of the Basic Law”.

13 (D) The National People’s Congress has
14 passed laws requiring Hong Kong to pass laws
15 banning disrespectful treatment of the national
16 flag and national anthem of China.

17 (E) The State Council of China released a
18 white paper on June 10, 2014, that stressed
19 the “comprehensive jurisdiction” of the Govern-
20 ment of China over Hong Kong and indicated
21 that Hong Kong must be governed by “patri-
22 ots”.

23 (F) The Government of China has directed
24 operatives to kidnap and bring to the mainland,
25 or is otherwise responsible for the kidnapping

1 of, residents of Hong Kong, including business-
2 man Xiao Jianhua and bookseller Gui Minhui.

3 (G) The Government of Hong Kong, acting
4 with the support of the Government of China,
5 introduced an extradition bill that would have
6 permitted the Government of China to request
7 and enforce extradition requests for any indi-
8 vidual present in Hong Kong, regardless of the
9 legality of the request or the degree to which it
10 compromised the judicial independence of Hong
11 Kong.

12 (H) The spokesman for the Standing Com-
13 mittee of the National People's Congress said,
14 "Whether Hong Kong's laws are consistent
15 with the Basic Law can only be judged and de-
16 cided by the National People's Congress Stand-
17 ing Committee. No other authority has the
18 right to make judgments and decisions."

19 (10) Paragraph 3e of the Joint Declaration
20 states, as reinforced by Article 5 of the Basic Law,
21 that the "current social and economic systems in
22 Hong Kong will remain unchanged, as so will the
23 life-style."

24 (11) On multiple occasions, the Government of
25 China has undertaken actions that have contravened

1 the letter or intent of the obligation described in
2 paragraph (10) of this section, including the fol-
3 lowing:

4 (A) In 2002, the Government of China
5 pressured the Government of Hong Kong to in-
6 troduce “patriotic” curriculum in primary and
7 secondary schools.

8 (B) The governments of China and Hong
9 Kong proposed the prohibition of discussion of
10 Hong Kong independence and self-determina-
11 tion in primary and secondary schools, which
12 infringes on freedom of speech.

13 (C) The Government of Hong Kong man-
14 dated that Mandarin, and not the native lan-
15 guage of Cantonese, be the language of instruc-
16 tion in Hong Kong schools.

17 (D) The governments of China and Hong
18 Kong agreed to a daily quota of mainland im-
19 migrants to Hong Kong, which is widely be-
20 lieved by citizens of Hong Kong to be part of
21 an effort to “mainlandize” Hong Kong.

22 (12) Paragraph 3e of the Joint Declaration
23 states, as reinforced by Articles 4, 26, 27, 28, 29,
24 30, 31, 32 33, 34, and 39 of the Basic Law, that
25 the “rights and freedoms, including those of person,

1 of speech, of the press, of assembly, of association,
2 of travel, of movement, of correspondence, of strike,
3 of choice of occupation, of academic research and of
4 religious belief will be ensured by law” in Hong
5 Kong.

6 (13) On multiple occasions, the Government of
7 China has undertaken actions that have contravened
8 the letter or intent of the obligation described in
9 paragraph (12) of this section, including the fol-
10 lowing:

11 (A) On February 26, 2003, the Govern-
12 ment of Hong Kong introduced a national secu-
13 rity bill that would have placed restrictions on
14 freedom of speech and other protected rights.

15 (B) The Liaison Office of China in Hong
16 Kong has pressured businesses in Hong Kong
17 not to advertise in newspapers and magazines
18 critical of the governments of China and Hong
19 Kong.

20 (C) The Hong Kong Police Force selec-
21 tively blocked demonstrations and protests ex-
22 pressing opposition to the governments of China
23 and Hong Kong or the policies of those govern-
24 ments.

1 (D) The Government of Hong Kong re-
2 fused to renew work visa for a foreign jour-
3 nalist, allegedly for hosting a speaker from the
4 banned Hong Kong National Party.

5 (E) The Justice Department of Hong
6 Kong selectively prosecuted cases against lead-
7 ers of the Umbrella Movement, while failing to
8 prosecute police officers accused of using exces-
9 sive force during the protests in 2014.

10 (F) On April 18, 2020, the Hong Kong
11 Police Force arrested 14 high-profile democracy
12 activists and campaigners for their role in orga-
13 nizing a protest march that took place on Au-
14 gust 18, 2019, in which almost 2,000,000 peo-
15 ple rallied against a proposed extradition bill.

16 (14) Articles 45 and 68 of the Basic Law assert
17 that the selection of Chief Executive and all mem-
18 bers of the Legislative Council of Hong Kong should
19 be by “universal suffrage.”.

20 (15) On multiple occasions, the Government of
21 China has undertaken actions that have contravened
22 the letter or intent of the obligation described in
23 paragraph (14) of this section, including the fol-
24 lowing:

1 (A) In 2004, the National People’s Con-
2 gress created new, antidemocratic procedures
3 restricting the adoption of universal suffrage
4 for the election of the Chief Executive of Hong
5 Kong.

6 (B) The decision by the National People’s
7 Congress on December 29, 2007, which ruled
8 out universal suffrage in 2012 elections and set
9 restrictions on when and if universal suffrage
10 will be implemented.

11 (C) The decision by the National People’s
12 Congress on August 31, 2014, which placed
13 limits on the nomination process for the Chief
14 Executive of Hong Kong as a condition for
15 adoption of universal suffrage.

16 (D) On November 7, 2016, the National
17 People’s Congress interpreted Article 104 of the
18 Basic Law in such a way to disqualify 6 elected
19 members of the Legislative Council.

20 (E) In 2018, the Government of Hong
21 Kong banned the Hong Kong National Party
22 and blocked the candidacy of pro-democracy
23 candidates.

24 (16) The ways in which the Government of
25 China, at times with the support of a subservient

1 Government of Hong Kong, has acted in contraven-
2 tion of its obligations under the Joint Declaration
3 and the Basic Law, as set forth in this section, are
4 deeply concerning to the people of Hong Kong, the
5 United States, and members of the international
6 community who support the autonomy of Hong
7 Kong.

8 **SEC. 1704. SENSE OF CONGRESS REGARDING HONG KONG.**

9 It is the sense of Congress that—

10 (1) the United States continues to uphold the
11 principles and policy established in the United
12 States-Hong Kong Policy Act of 1992 (22 U.S.C.
13 5701 et seq.) and the Hong Kong Human Rights
14 and Democracy Act of 2019 (Public Law 116–76;
15 22 U.S.C. 5701 note), which remain consistent with
16 China’s obligations under the Joint Declaration and
17 certain promulgated objectives under the Basic Law,
18 including that—

19 (A) as set forth in section 101(1) of the
20 United States-Hong Kong Policy Act of 1992
21 (22 U.S.C. 5711(1)), “The United States
22 should play an active role, before, on, and after
23 July 1, 1997, in maintaining Hong Kong’s con-
24 fidence and prosperity, Hong Kong’s role as an
25 international financial center, and the mutually

1 beneficial ties between the people of the United
2 States and the people of Hong Kong.”; and

3 (B) as set forth in section 2(5) of the
4 United States-Hong Kong Policy Act of 1992
5 (22 U.S.C. 5701(5)), “Support for democratiza-
6 tion is a fundamental principle of United States
7 foreign policy. As such, it naturally applies to
8 United States policy toward Hong Kong. This
9 will remain equally true after June 30, 1997.”;

10 (2) although the United States recognizes that,
11 under the Joint Declaration, the Government of
12 China “resumed the exercise of sovereignty over
13 Hong Kong with effect on 1 July 1997”, the United
14 States supports the autonomy of Hong Kong in fur-
15 therance of the United States-Hong Kong Policy Act
16 of 1992 and the Hong Kong Human Rights and De-
17 mocracy Act of 2019 and advances the desire of the
18 people of Hong Kong to continue the “one country,
19 two systems” regime, in addition to other obligations
20 promulgated by China under the Joint Declaration
21 and the Basic Law;

22 (3) in order to support the benefits and protec-
23 tions that Hong Kong has been afforded by the Gov-
24 ernment of China under the Joint Declaration and
25 the Basic Law, the United States should establish a

1 clear and unambiguous set of penalties with respect
2 to foreign persons determined by the Secretary of
3 State, in consultation with the Secretary of the
4 Treasury, to be involved in the contravention of the
5 obligations of China under the Joint Declaration and
6 the Basic Law and the financial institutions
7 transacting with those foreign persons;

8 (4) the Secretary of State should provide an un-
9 classified assessment of the reason for imposition of
10 certain economic penalties on entities, so as to per-
11 mit a clear path for the removal of economic pen-
12 alties if the sanctioned behavior is reversed and
13 verified by the Secretary of State;

14 (5) relevant Federal agencies should establish a
15 multilateral sanctions regime with respect to foreign
16 persons involved in the contravention of the obliga-
17 tions of China under the Joint Declaration and the
18 Basic Law; and

19 (6) in addition to the penalties on foreign per-
20 sons, and financial institutions transacting with
21 those foreign persons, for the contravention of the
22 obligations of China under the Joint Declaration and
23 the Basic Law, the United States should take steps,
24 in a time of crisis, to assist permanent residents of
25 Hong Kong who are persecuted or fear persecution

1 as a result of the contravention by China of its obli-
2 gations under the Joint Declaration and the Basic
3 Law to become eligible to obtain lawful entry into
4 the United States.

5 **SEC. 1705. IDENTIFICATION OF FOREIGN PERSONS IN-**
6 **VOLVED IN THE EROSION OF THE OBLIGA-**
7 **TIONS OF CHINA UNDER THE JOINT DEC-**
8 **LARATION OR THE BASIC LAW AND FOREIGN**
9 **FINANCIAL INSTITUTIONS THAT CONDUCT**
10 **SIGNIFICANT TRANSACTIONS WITH THOSE**
11 **PERSONS.**

12 (a) IN GENERAL.—Not later than 90 days after the
13 date of the enactment of this Act, if the Secretary of
14 State, in consultation with the Secretary of the Treasury,
15 determines that a foreign person is materially contributing
16 to, has materially contributed to, or attempts to materially
17 contribute to the failure of the Government of China to
18 meet its obligations under the Joint Declaration or the
19 Basic Law, the Secretary of State shall submit to the ap-
20 propriate congressional committees and leadership a re-
21 port that includes—

- 22 (1) an identification of the foreign person; and
23 (2) a clear explanation for why the foreign per-
24 son was identified and a description of the activity
25 that resulted in the identification.

1 (b) IDENTIFYING FOREIGN FINANCIAL INSTITU-
2 TIONS.—Not earlier than 30 days and not later than 60
3 days after the Secretary of State submits to the appro-
4 priate congressional committees and leadership the report
5 under subsection (a), the Secretary of the Treasury, in
6 consultation with the Secretary of State, shall submit to
7 the appropriate congressional committees and leadership
8 a report that identifies any foreign financial institution
9 that knowingly conducts a significant transaction with a
10 foreign person identified in the report under subsection
11 (a).

12 (c) EXCLUSION OF CERTAIN INFORMATION.—

13 (1) INTELLIGENCE.—The Secretary of State
14 shall not disclose the identity of a person in a report
15 submitted under subsection (a) or (b), or an update
16 under subsection (e), if the Director of National In-
17 telligence determines that such disclosure could com-
18 promise an intelligence operation, activity, source, or
19 method of the United States.

20 (2) LAW ENFORCEMENT.—The Secretary of
21 State shall not disclose the identity of a person in
22 a report submitted under subsection (a) or (b), or an
23 update under subsection (e), if the Attorney General,
24 in coordination, as appropriate, with the Director of
25 the Federal Bureau of Investigation, the head of any

1 other appropriate Federal law enforcement agency,
2 and the Secretary of the Treasury, determines that
3 such disclosure could reasonably be expected—

4 (A) to compromise the identity of a con-
5 fidential source, including a State, local, or for-
6 eign agency or authority or any private institu-
7 tion that furnished information on a confiden-
8 tial basis;

9 (B) to jeopardize the integrity or success
10 of an ongoing criminal investigation or prosecu-
11 tion;

12 (C) to endanger the life or physical safety
13 of any person; or

14 (D) to cause substantial harm to physical
15 property.

16 (3) NOTIFICATION REQUIRED.—If the Director
17 of National Intelligence makes a determination
18 under paragraph (1) or the Attorney General makes
19 a determination under paragraph (2), the Director
20 or the Attorney General, as the case may be, shall
21 notify the appropriate congressional committees and
22 leadership of the determination and the reasons for
23 the determination.

24 (d) EXCLUSION OR REMOVAL OF FOREIGN PERSONS
25 AND FOREIGN FINANCIAL INSTITUTIONS.—

1 (1) FOREIGN PERSONS.—The President may
2 exclude a foreign person from the report under sub-
3 section (a), or an update under subsection (e), or re-
4 move a foreign person from the report or update
5 prior to the imposition of sanctions under section
6 1706(a) if the material contribution (as described in
7 subsection (g)) that merited inclusion in that report
8 or update—

9 (A) does not have a significant and lasting
10 negative effect that contravenes the obligations
11 of China under the Joint Declaration and the
12 Basic Law;

13 (B) is not likely to be repeated in the fu-
14 ture; and

15 (C) has been reversed or otherwise miti-
16 gated through positive countermeasures taken
17 by that foreign person.

18 (2) FOREIGN FINANCIAL INSTITUTIONS.—The
19 President may exclude a foreign financial institution
20 from the report under subsection (b), or an update
21 under subsection (e), or remove a foreign financial
22 institution from the report or update prior to the
23 imposition of sanctions under section 1707(a) if the
24 significant transaction or significant transactions of

1 the foreign financial institution that merited inclu-
2 sion in that report or update—

3 (A) does not have a significant and lasting
4 negative effect that contravenes the obligations
5 of China under the Joint Declaration and the
6 Basic Law;

7 (B) is not likely to be repeated in the fu-
8 ture; and

9 (C) has been reversed or otherwise miti-
10 gated through positive countermeasures taken
11 by that foreign financial institution.

12 (3) NOTIFICATION REQUIRED.—If the Presi-
13 dent makes a determination under paragraph (1) or
14 (2) to exclude or remove a foreign person or foreign
15 financial institution from a report under subsection
16 (a) or (b), as the case may be, the President shall
17 notify the appropriate congressional committees and
18 leadership of the determination and the reasons for
19 the determination.

20 (e) UPDATE OF REPORTS.—

21 (1) IN GENERAL.—Each report submitted
22 under subsections (a) and (b) shall be updated in an
23 ongoing manner and, to the extent practicable, up-
24 dated reports shall be resubmitted with the annual

1 report under section 301 of the United States-Hong
2 Kong Policy Act of 1992 (22 U.S.C. 5731).

3 (2) RULE OF CONSTRUCTION.—Nothing in this
4 subsection shall be construed to terminate the re-
5 quirement to update the reports under subsections
6 (a) and (b) upon the termination of the requirement
7 to submit the annual report under section 301 of the
8 United States-Hong Kong Policy Act of 1992 (22
9 U.S.C. 5731).

10 (f) FORM OF REPORTS.—

11 (1) IN GENERAL.—Each report under sub-
12 section (a) or (b) (including updates under sub-
13 section (e)) shall be submitted in unclassified form
14 and made available to the public.

15 (2) CLASSIFIED ANNEX.—The explanations and
16 descriptions included in the report under subsection
17 (a)(2) (including updates under subsection (e)) may
18 be expanded on in a classified annex.

19 (g) MATERIAL CONTRIBUTIONS RELATED TO OBLI-
20 GATIONS OF CHINA DESCRIBED.—For purposes of this
21 section, a foreign person materially contributes to the fail-
22 ure of the Government of China to meet its obligations
23 under the Joint Declaration or the Basic Law if the per-
24 son—

1 (1) took action that resulted in the inability of
2 the people of Hong Kong—

3 (A) to enjoy freedom of assembly, speech,
4 press, or independent rule of law; or

5 (B) to participate in democratic outcomes;

6 or

7 (2) otherwise took action that reduces the high
8 degree of autonomy of Hong Kong.

9 **SEC. 1706. SANCTIONS WITH RESPECT TO FOREIGN PER-**
10 **SONS THAT CONTRAVENE THE OBLIGATIONS**
11 **OF CHINA UNDER THE JOINT DECLARATION**
12 **OR THE BASIC LAW.**

13 (a) IMPOSITION OF SANCTIONS.—

14 (1) IN GENERAL.—On and after the date on
15 which a foreign person is included in the report
16 under section 1705(a) or an update to that report
17 under section 1705(e), the President may impose
18 sanctions described in subsection (b) with respect to
19 that foreign person.

20 (2) MANDATORY SANCTIONS.—Not later than
21 one year after the date on which a foreign person is
22 included in the report under section 1705(a) or an
23 update to that report under section 1705(e), the
24 President shall impose sanctions described in sub-
25 section (b) with respect to that foreign person.

1 (b) SANCTIONS DESCRIBED.—The sanctions de-
2 scribed in this subsection with respect to a foreign person
3 are the following:

4 (1) PROPERTY TRANSACTIONS.—The President
5 may, pursuant to such regulations as the President
6 may prescribe, prohibit any person from—

7 (A) acquiring, holding, withholding, using,
8 transferring, withdrawing, transporting, or ex-
9 porting any property that is subject to the ju-
10 risdiction of the United States and with respect
11 to which the foreign person has any interest;

12 (B) dealing in or exercising any right,
13 power, or privilege with respect to such prop-
14 erty; or

15 (C) conducting any transaction involving
16 such property.

17 (2) EXCLUSION FROM THE UNITED STATES
18 AND REVOCATION OF VISA OR OTHER DOCUMENTA-
19 TION.—In the case of a foreign person who is an in-
20 dividual, the President may direct the Secretary of
21 State to deny a visa to, and the Secretary of Home-
22 land Security to exclude from the United States, the
23 foreign person, subject to regulatory exceptions to
24 permit the United States to comply with the Agree-
25 ment regarding the Headquarters of the United Na-

1 tions, signed at Lake Success June 26, 1947, and
2 entered into force November 21, 1947, between the
3 United Nations and the United States, or other ap-
4 plicable international obligations.

5 **SEC. 1707. SANCTIONS WITH RESPECT TO FOREIGN FINAN-**
6 ****CIAL INSTITUTIONS THAT CONDUCT SIGNIFI-****
7 ****CANT TRANSACTIONS WITH FOREIGN PER-****
8 ****SONS THAT CONTRAVENE THE OBLIGATIONS****
9 ****OF CHINA UNDER THE JOINT DECLARATION****
10 ****OR THE BASIC LAW.****

11 (a) IMPOSITION OF SANCTIONS.—

12 (1) INITIAL SANCTIONS.—Not later than one
13 year after the date on which a foreign financial in-
14 stitution is included in the report under section
15 1705(b) or an update to that report under section
16 1705(e), the President shall impose not fewer than
17 5 of the sanctions described in subsection (b) with
18 respect to that foreign financial institution.

19 (2) EXPANDED SANCTIONS.—Not later than
20 two years after the date on which a foreign financial
21 institution is included in the report under section
22 1705(b) or an update to that report under section
23 1705(e), the President shall impose each of the
24 sanctions described in subsection (b).

1 (b) SANCTIONS DESCRIBED.—The sanctions de-
2 scribed in this subsection with respect to a foreign finan-
3 cial institution are the following:

4 (1) LOANS FROM UNITED STATES FINANCIAL
5 INSTITUTIONS.—The United States Government
6 may prohibit any United States financial institution
7 from making loans or providing credits to the for-
8 eign financial institution.

9 (2) PROHIBITION ON DESIGNATION AS PRIMARY
10 DEALER.—Neither the Board of Governors of the
11 Federal Reserve System nor the Federal Reserve
12 Bank of New York may designate, or permit the
13 continuation of any prior designation of, the foreign
14 financial institution as a primary dealer in United
15 States Government debt instruments.

16 (3) PROHIBITION ON SERVICE AS A REPOSI-
17 TORY OF GOVERNMENT FUNDS.—The foreign finan-
18 cial institution may not serve as agent of the United
19 States Government or serve as repository for United
20 States Government funds.

21 (4) FOREIGN EXCHANGE.—The President may,
22 pursuant to such regulations as the President may
23 prescribe, prohibit any transactions in foreign ex-
24 change that are subject to the jurisdiction of the

1 United States and involve the foreign financial insti-
2 tution.

3 (5) BANKING TRANSACTIONS.—The President
4 may, pursuant to such regulations as the President
5 may prescribe, prohibit any transfers of credit or
6 payments between financial institutions or by,
7 through, or to any financial institution, to the extent
8 that such transfers or payments are subject to the
9 jurisdiction of the United States and involve the for-
10 eign financial institution.

11 (6) PROPERTY TRANSACTIONS.—The President
12 may, pursuant to such regulations as the President
13 may prescribe, prohibit any person from—

14 (A) acquiring, holding, withholding, using,
15 transferring, withdrawing, transporting, or ex-
16 porting any property that is subject to the ju-
17 risdiction of the United States and with respect
18 to which the foreign financial institution has
19 any interest;

20 (B) dealing in or exercising any right,
21 power, or privilege with respect to such prop-
22 erty; or

23 (C) conducting any transaction involving
24 such property.

1 (7) RESTRICTION ON EXPORTS, REEXPORTS,
2 AND TRANSFERS.—The President, in consultation
3 with the Secretary of Commerce, may restrict or
4 prohibit exports, reexports, and transfers (in-coun-
5 try) of commodities, software, and technology sub-
6 ject to the jurisdiction of the United States directly
7 or indirectly to the foreign financial institution.

8 (8) BAN ON INVESTMENT IN EQUITY OR
9 DEBT.—The President may, pursuant to such regu-
10 lations or guidelines as the President may prescribe,
11 prohibit any United States person from investing in
12 or purchasing significant amounts of equity or debt
13 instruments of the foreign financial institution.

14 (9) EXCLUSION OF CORPORATE OFFICERS.—
15 The President may direct the Secretary of State, in
16 consultation with the Secretary of the Treasury and
17 the Secretary of Homeland Security, to exclude from
18 the United States any alien that is determined to be
19 a corporate officer or principal of, or a shareholder
20 with a controlling interest in, the foreign financial
21 institution, subject to regulatory exceptions to per-
22 mit the United States to comply with the Agreement
23 regarding the Headquarters of the United Nations,
24 signed at Lake Success June 26, 1947, and entered
25 into force November 21, 1947, between the United

1 Nations and the United States, or other applicable
2 international obligations.

3 (10) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
4 FICERS.—The President may impose on the prin-
5 cipal executive officer or officers of the foreign fi-
6 nancial institution, or on individuals performing
7 similar functions and with similar authorities as
8 such officer or officers, any of the sanctions de-
9 scribed in paragraphs (1) through (8) that are appli-
10 cable.

11 (c) TIMING OF SANCTIONS.—The President may im-
12 pose sanctions required under subsection (a) with respect
13 to a financial institution included in the report under sec-
14 tion 1705(b) or an update to that report under section
15 1705(e) beginning on the day on which the financial insti-
16 tution is included in that report or update.

17 **SEC. 1708. WAIVER, TERMINATION, EXCEPTIONS, AND CON-**
18 **GRESSIONAL REVIEW PROCESS.**

19 (a) NATIONAL SECURITY WAIVER.—Unless a dis-
20 approval resolution is enacted under subsection (d), the
21 President may waive the application of sanctions under
22 section 1706 or 1707 with respect to a foreign person or
23 foreign financial institution if the President—

24 (1) determines that the waiver is in the national
25 security interest of the United States; and

1 (2) submits to the appropriate congressional
2 committees and leadership a report on the deter-
3 mination and the reasons for the determination.

4 (b) TERMINATION OF SANCTIONS AND REMOVAL
5 FROM REPORT.—Unless a disapproval resolution is en-
6 acted under subsection (d), the President may terminate
7 the application of sanctions under section 1706 or 1707
8 with respect to a foreign person or foreign financial insti-
9 tution and remove the foreign person from the report re-
10 quired under section 1705(a) or the foreign financial insti-
11 tution from the report required under section 1705(b), as
12 the case may be, if the Secretary of State, in consultation
13 with the Secretary of the Treasury, determines that the
14 actions taken by the foreign person or foreign financial
15 institution that led to the imposition of sanctions—

16 (1) do not have a significant and lasting nega-
17 tive effect that contravenes the obligations of China
18 under the Joint Declaration and the Basic Law;

19 (2) are not likely to be repeated in the future;
20 and

21 (3) have been reversed or otherwise mitigated
22 through positive countermeasures taken by that for-
23 eign person or foreign financial institution.

24 (c) TERMINATION OF ACT.—

25 (1) REPORT.—

1 (A) IN GENERAL.—Not later than July 1,
2 2046, the President, in consultation with the
3 Secretary of State, the Secretary of the Treas-
4 ury, and the heads of such other Federal agen-
5 cies as the President considers appropriate,
6 shall submit to Congress a report evaluating the
7 implementation of this title and sanctions im-
8 posed pursuant to this title.

9 (B) ELEMENTS.—The President shall in-
10 clude in the report submitted under subpara-
11 graph (A) an assessment of whether this title
12 and the sanctions imposed pursuant to this title
13 should be terminated.

14 (2) TERMINATION.—This title and the sanc-
15 tions imposed pursuant to this title shall remain in
16 effect unless a termination resolution is enacted
17 under subsection (e) after July 1, 2047.

18 (d) CONGRESSIONAL REVIEW.—

19 (1) RESOLUTIONS.—

20 (A) DISAPPROVAL RESOLUTION.—In this
21 section, the term “disapproval resolution”
22 means only a joint resolution of either House of
23 Congress—

24 (i) the title of which is as follows: “A
25 joint resolution disapproving the waiver or

1 termination of sanctions with respect to a
 2 foreign person that contravenes the obliga-
 3 tions of China with respect to Hong Kong
 4 or a foreign financial institution that con-
 5 ducts a significant transaction with that
 6 person.”; and

7 (ii) the sole matter after the resolving
 8 clause of which is the following: “Congress
 9 disapproves of the action under section
 10 1708 of the Hong Kong Autonomy Act re-
 11 lating to the application of sanctions im-
 12 posed with respect to a foreign person that
 13 contravenes the obligations of China with
 14 respect to Hong Kong, or a foreign finan-
 15 cial institution that conducts a significant
 16 transaction with that person, on
 17 _____ relating to
 18 _____.”, with the first blank
 19 space being filled with the appropriate date
 20 and the second blank space being filled
 21 with a short description of the proposed
 22 action.

23 (B) TERMINATION RESOLUTION.—In this
 24 section, the term “termination resolution”

1 means only a joint resolution of either House of
2 Congress—

3 (i) the title of which is as follows: “A
4 joint resolution terminating sanctions with
5 respect to foreign persons that contravene
6 the obligations of China with respect to
7 Hong Kong and foreign financial institu-
8 tions that conduct significant transactions
9 with those persons.”; and

10 (ii) the sole matter after the resolving
11 clause of which is the following: “The
12 Hong Kong Autonomy Act and any sanc-
13 tions imposed pursuant to that Act shall
14 terminate on _____.”, with the blank
15 space being filled with the termination
16 date.

17 (C) COVERED RESOLUTION.—In this sub-
18 section, the term “covered resolution” means a
19 disapproval resolution or a termination resolu-
20 tion.

21 (2) INTRODUCTION.—A covered resolution may
22 be introduced—

23 (A) in the House of Representatives, by
24 the majority leader or the minority leader; and

1 (B) in the Senate, by the majority leader
2 (or the majority leader's designee) or the mi-
3 nority leader (or the minority leader's des-
4 ignee).

5 (3) FLOOR CONSIDERATION IN HOUSE OF REP-
6 RESENTATIVES.—If a committee of the House of
7 Representatives to which a covered resolution has
8 been referred has not reported the resolution within
9 10 calendar days after the date of referral, that
10 committee shall be discharged from further consider-
11 ation of the resolution.

12 (4) CONSIDERATION IN THE SENATE.—

13 (A) COMMITTEE REFERRAL.—

14 (i) DISAPPROVAL RESOLUTION.—A
15 disapproval resolution introduced in the
16 Senate shall be—

17 (I) referred to the Committee on
18 Banking, Housing, and Urban Affairs
19 if the resolution relates to an action
20 that is not intended to significantly
21 alter United States foreign policy with
22 regard to China; and

23 (II) referred to the Committee on
24 Foreign Relations if the resolution re-
25 lates to an action that is intended to

1 significantly alter United States for-
2 eign policy with regard to China.

3 (ii) TERMINATION RESOLUTION.—A
4 termination resolution introduced in the
5 Senate shall be referred to the Committee
6 on Banking, Housing, and Urban Affairs
7 and the Committee on Foreign Relations.

8 (B) REPORTING AND DISCHARGE.—If a
9 committee to which a covered resolution was re-
10 ferred has not reported the resolution within 10
11 calendar days after the date of referral of the
12 resolution, that committee shall be discharged
13 from further consideration of the resolution and
14 the resolution shall be placed on the appro-
15 priate calendar.

16 (C) PROCEEDING TO CONSIDERATION.—
17 Notwithstanding Rule XXII of the Standing
18 Rules of the Senate, it is in order at any time
19 after the Committee on Banking, Housing, and
20 Urban Affairs or the Committee on Foreign Re-
21 lations, as the case may be, reports a covered
22 resolution to the Senate or has been discharged
23 from consideration of such a resolution (even
24 though a previous motion to the same effect has
25 been disagreed to) to move to proceed to the

1 consideration of the resolution, and all points of
2 order against the resolution (and against con-
3 sideration of the resolution) are waived. The
4 motion to proceed is not debatable. The motion
5 is not subject to a motion to postpone. A mo-
6 tion to reconsider the vote by which the motion
7 is agreed to or disagreed to shall not be in
8 order.

9 (D) RULINGS OF THE CHAIR ON PROCE-
10 DURE.—Appeals from the decisions of the Chair
11 relating to the application of the rules of the
12 Senate, as the case may be, to the procedure re-
13 lating to a covered resolution shall be decided
14 without debate.

15 (E) CONSIDERATION OF VETO MES-
16 SAGES.—Debate in the Senate of any veto mes-
17 sage with respect to a covered resolution, in-
18 cluding all debatable motions and appeals in
19 connection with the resolution, shall be limited
20 to 10 hours, to be equally divided between, and
21 controlled by, the majority leader and the mi-
22 nority leader or their designees.

23 (5) RULES RELATING TO SENATE AND HOUSE
24 OF REPRESENTATIVES.—

1 (A) TREATMENT OF SENATE RESOLUTION
2 IN HOUSE.—In the House of Representatives,
3 the following procedures shall apply to a cov-
4 ered resolution received from the Senate (unless
5 the House has already passed a resolution relat-
6 ing to the same proposed action):

7 (i) The resolution shall be referred to
8 the appropriate committees.

9 (ii) If a committee to which a resolu-
10 tion has been referred has not reported the
11 resolution within 2 calendar days after the
12 date of referral, that committee shall be
13 discharged from further consideration of
14 the resolution.

15 (iii) Beginning on the third legislative
16 day after each committee to which a reso-
17 lution has been referred reports the resolu-
18 tion to the House or has been discharged
19 from further consideration thereof, it shall
20 be in order to move to proceed to consider
21 the resolution in the House. All points of
22 order against the motion are waived. Such
23 a motion shall not be in order after the
24 House has disposed of a motion to proceed
25 on the resolution. The previous question

1 shall be considered as ordered on the mo-
2 tion to its adoption without intervening
3 motion. The motion shall not be debatable.
4 A motion to reconsider the vote by which
5 the motion is disposed of shall not be in
6 order.

7 (iv) The resolution shall be considered
8 as read. All points of order against the res-
9 olution and against its consideration are
10 waived. The previous question shall be con-
11 sidered as ordered on the resolution to
12 final passage without intervening motion
13 except 2 hours of debate equally divided
14 and controlled by the sponsor of the reso-
15 lution (or a designee) and an opponent. A
16 motion to reconsider the vote on passage of
17 the resolution shall not be in order.

18 (B) TREATMENT OF HOUSE RESOLUTION

19 IN SENATE.—

20 (i) RECEIVED BEFORE PASSAGE OF
21 SENATE RESOLUTION.—If, before the pas-
22 sage by the Senate of a covered resolution,
23 the Senate receives an identical resolution
24 from the House of Representatives, the fol-
25 lowing procedures shall apply:

1 (I) That resolution shall not be
2 referred to a committee.

3 (II) With respect to that resolu-
4 tion—

5 (aa) the procedure in the
6 Senate shall be the same as if no
7 resolution had been received from
8 the House of Representatives;
9 but

10 (bb) the vote on passage
11 shall be on the resolution from
12 the House of Representatives.

13 (ii) RECEIVED AFTER PASSAGE OF
14 SENATE RESOLUTION.—If, following pas-
15 sage of a covered resolution in the Senate,
16 the Senate receives an identical resolution
17 from the House of Representatives, that
18 resolution shall be placed on the appro-
19 priate Senate calendar.

20 (iii) NO SENATE COMPANION.—If a
21 covered resolution is received from the
22 House of Representatives, and no com-
23 panion resolution has been introduced in
24 the Senate, the Senate procedures under

1 this subsection shall apply to the resolution
2 from the House of Representatives.

3 (C) APPLICATION TO REVENUE MEAS-
4 URES.—The provisions of this paragraph shall
5 not apply in the House of Representatives to a
6 covered resolution that is a revenue measure.

7 (6) RULES OF HOUSE OF REPRESENTATIVES
8 AND SENATE.—This subsection is enacted by Con-
9 gress—

10 (A) as an exercise of the rulemaking power
11 of the Senate and the House of Representa-
12 tives, respectively, and as such is deemed a part
13 of the rules of each House, respectively, and su-
14 persedes other rules only to the extent that it
15 is inconsistent with such rules; and

16 (B) with full recognition of the constitu-
17 tional right of either House to change the rules
18 (so far as relating to the procedure of that
19 House) at any time, in the same manner, and
20 to the same extent as in the case of any other
21 rule of that House.

22 **SEC. 1709. IMPLEMENTATION; PENALTIES.**

23 (a) IMPLEMENTATION.—The President may exercise
24 all authorities provided under sections 203 and 205 of the
25 International Emergency Economic Powers Act (50

1 U.S.C. 1702 and 1704) to the extent necessary to carry
2 out this title.

3 (b) PENALTIES.—A person that violates, attempts to
4 violate, conspires to violate, or causes a violation of section
5 1706 or 1707 or any regulation, license, or order issued
6 to carry out that section shall be subject to the penalties
7 set forth in subsections (b) and (c) of section 206 of the
8 International Emergency Economic Powers Act (50
9 U.S.C. 1705) to the same extent as a person that commits
10 an unlawful act described in subsection (a) of that section.

11 **SEC. 1710. RULE OF CONSTRUCTION.**

12 Nothing in this title shall be construed as an author-
13 ization of military force against China.

14 **SEC. 1711. EXCEPTION RELATING TO IMPORTATION OF**
15 **GOODS.**

16 (a) IN GENERAL.—The authorities and requirements
17 to impose sanctions under this title shall not include the
18 authority or requirement to impose sanctions on the im-
19 portation of goods.

20 (b) GOOD DEFINED.—In this section, the term
21 “good” means any article, natural or manmade substance,
22 material, supply, or manufactured product, including in-
23 spection and test equipment, and excluding technical data.

1 **DIVISION B—MILITARY CON-**
2 **STRUCTION AUTHORIZA-**
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 This division may be cited as the “Military Construc-
6 tion Authorization Act for Fiscal Year 2021”.

7 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
8 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
9 **LAW.**

10 (a) EXPIRATION OF AUTHORIZATIONS AFTER FIVE
11 YEARS.—Except as provided in subsection (b), all author-
12 izations contained in titles XXI through XXVII for mili-
13 tary construction projects, land acquisition, family housing
14 projects and facilities, and contributions to the North At-
15 lantic Treaty Organization Security Investment Program
16 (and authorizations of appropriations therefor) shall ex-
17 pire on the later of—

18 (1) October 1, 2025; or

19 (2) the date of the enactment of an Act author-
20 izing funds for military construction for fiscal year
21 2026.

22 (b) EXCEPTION.—Subsection (a) shall not apply to
23 authorizations for military construction projects, land ac-
24 quisition, family housing projects and facilities, and con-
25 tributions to the North Atlantic Treaty Organization Se-

1 curity Investment Program (and authorizations of appro-
 2 priations therefor), for which appropriated funds have
 3 been obligated before the later of—

4 (1) October 1, 2025; or

5 (2) the date of the enactment of an Act author-
 6 izing funds for fiscal year 2026 for military con-
 7 struction projects, land acquisition, family housing
 8 projects and facilities, or contributions to the North
 9 Atlantic Treaty Organization Security Investment
 10 Program.

11 **SEC. 2003. EFFECTIVE DATE.**

12 Titles XXI through XXVII and title XXIX shall take
 13 effect on the later of—

14 (1) October 1, 2020; or

15 (2) the date of the enactment of this Act.

16 **TITLE XXI—ARMY MILITARY**
 17 **CONSTRUCTION**

18 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 19 **ACQUISITION PROJECTS.**

20 (a) **INSIDE THE UNITED STATES.**—Using amounts
 21 appropriated pursuant to the authorization of appropria-
 22 tions in section 2103(a) and available for military con-
 23 struction projects inside the United States as specified in
 24 the funding table in section 4601, the Secretary of the
 25 Army may acquire real property and carry out military

1 construction projects for the installations or locations in-
 2 side the United States, and in the amounts, set forth in
 3 the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$114,000,000
Arizona	Yuma Proving Ground	\$14,000,000
California	Military Ocean Terminal Concord	\$46,000,000
Colorado	Fort Carson	\$28,000,000
Georgia	Fort Gillem	\$71,000,000
	Fort Gordon	\$80,000,000
Hawaii	Aliamanu Military Reservation	\$71,000,000
	Schofield Barracks	\$39,000,000
	Wheeler Army Airfield	\$89,000,000
Louisiana	Fort Polk	\$25,000,000
Oklahoma	McAlester AAP	\$35,000,000
South Carolina	Fort Jackson	\$7,000,000
Virginia	Humphreys Engineer Center	\$51,000,000

4 (b) OUTSIDE THE UNITED STATES.—Using amounts
 5 appropriated pursuant to the authorization of appropria-
 6 tions in section 2103(a) and available for military con-
 7 struction projects outside the United States as specified
 8 in the funding table in section 4601, the Secretary of the
 9 Army may acquire real property and carry out military
 10 construction projects for the installation outside the
 11 United States, and in the amount, set forth in the fol-
 12 lowing table:

Army: Outside the United States

State	Installation	Amount
Italy	Casmera Renato Dal Din	\$10,200,000

13 **SEC. 2102. FAMILY HOUSING.**

14 (a) CONSTRUCTION AND ACQUISITION.—Using
 15 amounts appropriated pursuant to the authorization of ap-
 16 propriations in section 2103(a) and available for military

1 family housing functions as specified in the funding table
 2 in section 4601, the Secretary of the Army may construct
 3 or acquire family housing units (including land acquisition
 4 and supporting facilities) at the installations or locations,
 5 in the number of units, and in the amounts set forth in
 6 the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Italy	Vicenza	Family Housing New Construc- tion	\$84,100,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction ...	\$32,000,000

7 (b) **PLANNING AND DESIGN.**—Using amounts appro-
 8 priated pursuant to the authorization of appropriations in
 9 section 2103(a) and available for military family housing
 10 functions as specified in the funding table in section 4601,
 11 the Secretary of the Army may carry out architectural and
 12 engineering services and construction design activities
 13 with respect to the construction or improvement of family
 14 housing units in an amount not to exceed \$3,300,000.

15 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

16 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
 17 are hereby authorized to be appropriated for fiscal years
 18 beginning after September 30, 2020, for military con-
 19 struction, land acquisition, and military family housing
 20 functions of the Department of the Army as specified in
 21 the funding table in section 4601.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variation authorized by law, the total cost
5 of all projects carried out under section 2101 of this Act
6 may not exceed the total amount authorized to be appro-
7 priated under subsection (a), as specified in the funding
8 table in section 4601.

9 **SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **FISCAL YEAR 2017 PROJECT AT CAMP WALK-**
11 **ER, KOREA.**

12 In the case of the authorization contained in the table
13 in section 2102(a) of the Military Construction Authoriza-
14 tion Act for Fiscal Year 2017 (division B of Public Law
15 114–92; 129 Stat. 1146) for Camp Walker, Korea, the
16 Secretary of the Army may construct an elevated walkway
17 between two existing parking garages to connect children’s
18 playgrounds using amounts available for Family Housing
19 New Construction, as specified in the funding table in sec-
20 tion 4601 of such Act (129 Stat. 1290).

**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 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Camp Pendleton	\$115,530,000
	Lemoore	\$187,220,000
	Point Mugu	\$26,700,000
	Port Hueneme	\$43,500,000
	San Diego	\$128,500,000
	Seal Beach	\$46,800,000
	Twentynine Palms	\$76,500,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$114,900,000
Maine	Kittery	\$715,000,000
	NCTAMS LANT Detachment Cutler	\$26,100,000
Nevada	Fallon	\$29,040,000
North Carolina	Cherry Point	\$51,900,000
Virginia	Norfolk	\$39,800,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the

1 Navy may acquire real property and carry out military
 2 construction projects for the installations or locations out-
 3 side the United States, and in the amounts, set forth in
 4 the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	SW Asia	\$68,340,000
El Salvador	Comalapa	\$28,000,000
Greece	Souda Bay	\$50,180,000
Guam	Andersen Air Force Base	\$21,280,000
	Joint Region Marianas	\$546,550,000
Spain	Rota	\$60,110,000

5 **SEC. 2202. FAMILY HOUSING.**

6 Using amounts appropriated pursuant to the author-
 7 ization of appropriations in section 2204(a) and available
 8 for military family housing functions as specified in the
 9 funding table in section 4601, the Secretary of the Navy
 10 may carry out architectural and engineering services and
 11 construction design activities with respect to the construc-
 12 tion or improvement of family housing units in an amount
 13 not to exceed \$5,854,000.

14 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**

15 **UNITS.**

16 Subject to section 2825 of title 10, United States
 17 Code, and using amounts appropriated pursuant to the
 18 authorization of appropriations in section 2204(a) and
 19 available for military family housing functions as specified
 20 in the funding table in section 4601, the Secretary of the

1 Navy may improve existing military family housing units
2 in an amount not to exceed \$37,043,000.

3 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

4 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
5 are hereby authorized to be appropriated for fiscal years
6 beginning after September 30, 2020, for military con-
7 struction, land acquisition, and military family housing
8 functions of the Department of the Navy, as specified in
9 the funding table in section 4601.

10 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
11 **PROJECTS.**—Notwithstanding the cost variations author-
12 ized by section 2853 of title 10, United States Code, and
13 any other cost variation authorized by law, the total cost
14 of all projects carried out under section 2201 of this Act
15 may not exceed the total amount authorized to be appro-
16 priated under subsection (a), as specified in the funding
17 table in section 4601.

18 **TITLE XXIII—AIR FORCE**
19 **MILITARY CONSTRUCTION**

20 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
21 **LAND ACQUISITION PROJECTS.**

22 (a) **INSIDE THE UNITED STATES.**—Using amounts
23 appropriated pursuant to the authorization of appropria-
24 tions in section 2304(a) and available for military con-
25 struction projects inside the United States as specified in

1 the funding table in section 4601, the Secretary of the
 2 Air Force may acquire real property and carry out mili-
 3 tary construction projects for the installations or locations
 4 inside the United States, and in the amounts, set forth
 5 in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Colorado	United States Air Force Academy	\$49,000,000
New Jersey	Joint Base McGuire-Dix- Lakehurst.	\$22,000,000
South Dakota	Ellsworth Air Force Base	\$96,000,000
Texas	Joint Base San Antonio	\$19,500,000
Utah	Hill Air Force Base	\$132,000,000
Virginia	Joint Base Langley-Eustis	\$19,500,000

6 (b) OUTSIDE THE UNITED STATES.—Using amounts
 7 appropriated pursuant to the authorization of appropria-
 8 tions in section 2304(a) and available for military con-
 9 struction projects outside the United States as specified
 10 in the funding table in section 4601, the Secretary of the
 11 Air Force may acquire real property and carry out mili-
 12 tary construction projects for the installations or locations
 13 outside the United States, and in the amounts, set forth
 14 in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Guam	Andersen Air Force Base	\$56,000,000
Qatar	Al Udeid	\$26,000,000

15 **SEC. 2302. FAMILY HOUSING.**

16 Using amounts appropriated pursuant to the author-
 17 ization of appropriations in section 2304(a) and available
 18 for military family housing functions as specified in the

1 funding table in section 4601, the Secretary of the Air
2 Force may carry out architectural and engineering serv-
3 ices and construction design activities with respect to the
4 construction or improvement of family housing units in an
5 amount not to exceed \$2,969,000.

6 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
7 **UNITS.**

8 Subject to section 2825 of title 10, United States
9 Code, and using amounts appropriated pursuant to the
10 authorization of appropriations in section 2304(a) and
11 available for military family housing functions as specified
12 in the funding table in section 4601, the Secretary of the
13 Air Force may improve existing military family housing
14 units in an amount not to exceed \$94,245,000.

15 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
16 **FORCE.**

17 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
18 are hereby authorized to be appropriated for fiscal years
19 beginning after September 30, 2020, for military con-
20 struction, land acquisition, and military family housing
21 functions of the Department of the Air Force, as specified
22 in the funding table in section 4601.

23 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
24 **PROJECTS.**—Notwithstanding the cost variations author-
25 ized by section 2853 of title 10, United States Code, and

1 any other cost variation authorized by law, the total cost
2 of all projects carried out under section 2301 of this Act
3 may not exceed the total amount authorized to be appro-
4 priated under subsection (a), as specified in the funding
5 table in section 4601.

6 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
7 **FISCAL YEAR 2018 PROJECT AT ROYAL AIR**
8 **FORCE LAKENHEATH.**

9 (a) IN GENERAL.—In the case of the authorization
10 contained in the table in section 2301(b) of the Military
11 Construction Authorization Act for Fiscal Year 2018 (di-
12 vision B of Public Law 115–91; 131 Stat. 1826) for Royal
13 Air Force Lakenheath, United Kingdom, the Secretary of
14 the Air Force may construct a 2,700 square meter consoli-
15 dated corrosion control and wash rack facility at such lo-
16 cation.

17 (b) INCREASE OF AMOUNT.—The table in section
18 4601 of such Act is amended in the item relating to a
19 Consolidated Corrosion Control Facility at Royal Air
20 Force Lakenheath, United Kingdom, by striking
21 “20,000,000” and inserting “55,300,000”.

22 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
23 **CERTAIN FISCAL YEAR 2019 PROJECTS.**

24 (a) EIELSON AIR FORCE BASE, ALASKA.—In the
25 case of the authorization contained in the table in section

1 2301(a) of the Military Construction Authorization Act
2 for Fiscal Year 2019 (division B of Public Law 115–232;
3 132 Stat. 2246) for Eielson Air Force Base, Alaska, the
4 Secretary of the Air Force may construct a 426 square
5 meter non-contained (outdoor) range with covered and
6 heated firing line for construction of an F–35 CATM
7 Range, as specified in the funding table in section 4601
8 of such Act (132 Stat. 2404).

9 (b) BARKSDALE AIR FORCE BASE, LOUISIANA.—

10 (1) IN GENERAL.—In the case of the authoriza-
11 tion contained in the table in section 2301(a) of the
12 Military Construction Authorization Act for Fiscal
13 Year 2019 (division B of Public Law 115–232; 132
14 Stat. 2246) for Barksdale Air Force Base, Lou-
15 isiana, the Secretary of the Air Force may construct
16 an entrance road and gate complex consistent with
17 the Unified Facilities Criteria relating to entry con-
18 trol facilities and the construction guidelines for the
19 Air Force, in the amount of \$48,000,000.

20 (2) DETAILS OF CONSTRUCTION.—In con-
21 structing the entrance road and gate complex under
22 paragraph (1), the Secretary of the Air Force may
23 construct a 190 square meter visitor control center,
24 a 44 square meter gate house, a 124 square meter
25 privately owned vehicle inspection facility, a 338

1 square meter truck inspection facility, and a 45
2 square meter gatehouse.

3 (3) CONSTRUCTION IN FLOOD PLAIN.—Con-
4 struction under paragraph (1) may be conducted in
5 a flood plain and appropriate mitigation measures
6 shall be included in the project.

7 (c) ROYAL AIR FORCE LAKENHEATH, UNITED KING-
8 DOM.—In the case of the authorization contained in the
9 table in section 2301(b) of the Military Construction Au-
10 thorization Act for Fiscal Year 2019 (division B of Public
11 Law 115–232; 132 Stat. 2247) for Royal Air Force
12 Lakenheath, United Kingdom, the Secretary of the Air
13 Force may construct a 1,206 square meter maintenance
14 facility for construction of an F–35A ADAL Conventional
15 Munitions MX, as specified in the funding table in section
16 4601 of such Act (132 Stat. 2400).

17 (d) FORCE PROTECTION AND SAFETY.—The table in
18 section 4601 of the Military Construction Authorization
19 Act for Fiscal Year 2019 (division B of Public Law 115–
20 232; 132 Stat. 2406) is amended in the item relating to
21 Force Protection and Safety, Air Force, Unspecified
22 Worldwide Locations, by striking “35,000” and inserting
23 “50,000”.

1 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**
 2 **CERTAIN FISCAL YEAR 2020 FAMILY HOUSING**
 3 **PROJECTS.**

4 (a) CONSTRUCTION AND ACQUISITION.—Section
 5 2302 of the Military Construction Authorization Act for
 6 Fiscal Year 2020 (Public Law 116–92) is amended—

7 (1) by striking “Using amounts” and inserting
 8 “(a) PLANNING AND DESIGN.—Using amounts”;
 9 and

10 (2) by adding at the end the following new sub-
 11 section:

12 “(b) CONSTRUCTION AND ACQUISITION.—Using
 13 amounts appropriated pursuant to the authorization of ap-
 14 propriations in section 2304(a), the Secretary of the Air
 15 Force may construct or acquire family housing units (in-
 16 cluding land, acquisition, and supporting facilities) at the
 17 installation, in the number of units, and in the amounts
 18 set forth in the following table:

“Air Force: Family Housing

Country	Installation or Location	Purpose	Amount
Germany	Spangdahlem Air Base ...	76 Units	\$53,584,000”.

19 (b) FUNDING.—Section 2303 of the Military Con-
 20 struction Authorization Act for Fiscal Year 2020 (Public
 21 Law 116–92) is amended by striking “\$53,584,000” and
 22 inserting “\$46,638,000”.

1 **SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2020 PROJECTS.**

3 (a) TYNDALL AIR FORCE BASE, FLORIDA.—In the
4 case of the authorization contained in the table in section
5 2912(a) of the Military Construction Authorization Act
6 for Fiscal Year 2020 (division B of Public Law 116–92)
7 for Tyndall Air Force Base, Florida, the Secretary of the
8 Air Force may construct—

9 (1) not more than 4,770 square meters of air-
10 craft support equipment storage for construction of
11 an Auxiliary Ground Equipment Facility, as speci-
12 fied in the funding table in section 4603 of such Act;

13 (2) not more than 18,770 square meters of vis-
14 iting quarters for construction of Dorm Complex
15 Phase 1, as specified in such funding table;

16 (3) 2,127 square meters of squadron operations
17 and 2,875 square meters of aircraft maintenance
18 unit for construction of Ops/Aircraft Maintenance
19 Unit/Hangar #2, as specified in such funding table;

20 (4) 2,127 square meters of squadron operations
21 and 2,875 square meters of aircraft maintenance
22 unit for construction of Ops/Aircraft Maintenance
23 Unit/Hangar #3, as specified in such funding table;

24 (5) not more than 3,420 square meters of head-
25 quarters for construction of an Operations Group/

1 Maintenance Group HQ, as specified in such fund-
2 ing table;

3 (6) not more than 930 square meters of equip-
4 ment storage for construction of a Security Forces
5 Mobility Storage Facility, as specified in such fund-
6 ing table;

7 (7) not more than 7,000 meters of storm water
8 piping, box culverts, underground detention, and
9 grading for surface detention for construction of Site
10 Development, Utilities & Demo Phase 2, as specified
11 in such funding table; and

12 (8) not more than 12,471 meters of visiting
13 quarters for construction of Lodging Facilities
14 Phase 1, as specified in such funding table.

15 (b) OFFUTT AIR FORCE BASE, NEBRASKA.—In the
16 case of the authorization contained in the table in section
17 2912(a) of the Military Construction Authorization Act
18 for Fiscal Year 2020 (division B of Public Law 116–92)
19 for Offutt Air Force Base, Nebraska, the Secretary of the
20 Air Force may construct—

21 (1) seven 2.5-megawatt diesel engine genera-
22 tors, seven diesel exhaust fluid systems, 15-kilovolt
23 switchgear, two import/export inter-ties, five import-
24 only inter-ties, and 800 square meters of switchgear
25 facility for construction of an Emergency Power

1 Microgrid, as specified in the funding table in sec-
2 tion 4603 of such Act;

3 (2) 2,536 square meters of warehouse for con-
4 struction of a Logistics Readiness Squadron Cam-
5 pus, as specified in such funding table;

6 (3) 4,218 square meters of operations center
7 and 1,343 square meters of military working dog
8 kennel for construction of a Security Campus, as
9 specified in such funding table;

10 (4) 445 square meters of petroleum operations
11 center, 268 square meters of de-icing liquid storage,
12 and 173 square meters of warehouse for construc-
13 tion of a Flightline Hangars Campus, as specified in
14 such funding table; and

15 (5) 240 square meters of recreation complex
16 and 270 square meters of storage for construction of
17 a Lake Campus, as specified in such funding table.

18 (c) JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In
19 the case of the authorization contained in the table in sec-
20 tion 2912(a) of the Military Construction Authorization
21 Act for Fiscal Year 2020 (division B of Public Law 116–
22 92) for Joint Base Langley-Eustis, Virginia, the Secretary
23 of the Air Force may construct up to 6,720 square meters
24 of dormitory for construction of a Dormitory, as specified
25 in the funding table in section 4603 of such Act.

1 **TITLE XXIV—DEFENSE AGEN-**
 2 **CIES MILITARY CONSTRUC-**
 3 **TION**

4 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 5 **TION AND LAND ACQUISITION PROJECTS.**

6 (a) INSIDE THE UNITED STATES.—Using amounts
 7 appropriated pursuant to the authorization of appropria-
 8 tions in section 2403(a) and available for military con-
 9 struction projects inside the United States as specified in
 10 the funding table in section 4601, the Secretary of De-
 11 fense may acquire real property and carry out military
 12 construction projects for the installations or locations in-
 13 side the United States, and in the amounts, set forth in
 14 the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$18,000,000
Alaska	Fort Greely	\$48,000,000
Arizona	Fort Huachuca	\$33,728,000
	Yuma	\$49,500,000
California	Beale Air Force Base	\$22,800,000
Colorado	Fort Carson	\$15,600,000
CONUS Unspecified	CONUS Unspecified	\$14,400,000
Florida	Hurlburt Field	\$83,120,000
Kentucky	Fort Knox	\$69,310,000
New Mexico	Kirtland Air Force Base	\$46,600,000
North Carolina	Fort Bragg	\$113,800,000
Ohio	Wright-Patterson Air Force Base	\$23,500,000
Texas	Fort Hood	\$32,700,000
Virginia	Joint Expeditionary Base Little Creek-Fort Story	\$112,500,000
Washington	Joint Base Lewis-McChord	\$21,800,000
	Manchester	\$82,000,000

15 (b) OUTSIDE THE UNITED STATES.—Using amounts
 16 appropriated pursuant to the authorization of appropria-

1 tions in section 2403(a) and available for military con-
 2 struction projects outside the United States as specified
 3 in the funding table in section 4601, the Secretary of De-
 4 fense may acquire real property and carry out military
 5 construction projects for the installation or location out-
 6 side the United States, and in the amount, set forth in
 7 the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Japan	Def Fuel Support Point Tsurumi	\$49,500,000

8 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
 9 **SERVATION INVESTMENT PROGRAM**
 10 **PROJECTS.**

11 (a) **INSIDE THE UNITED STATES.**—Using amounts
 12 appropriated pursuant to the authorization of appropria-
 13 tions in section 2403(a) and available for energy conserva-
 14 tion projects as specified in the funding table in section
 15 4601, the Secretary of Defense may carry out energy con-
 16 servation projects under chapter 173 of title 10, United
 17 States Code, for the installations or locations inside the
 18 United States, and in the amounts, set forth in the fol-
 19 lowing table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	\$24,000,000
Arkansas	Fort Smith Air National Guard Base	\$2,600,000
District of Columbia	Joint Base Anacostia-Bolling	\$35,933,000
Georgia	Fort Benning	\$17,000,000
Mississippi	MTA Camp Shelby	\$30,000,000

ERCIP Projects: Inside the United States—Continued

State	Installation or Location	Amount
North Carolina	Fort Bragg	\$6,100,000
Ohio	Wright-Patterson Air Force Base	\$35,000,000
Tennessee	Memphis International Airport	\$4,780,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a) and available for energy conserva-
4 tion projects as specified in the funding table in section
5 4601, the Secretary of Defense may carry out energy con-
6 servation projects under chapter 173 of title 10, United
7 States Code, for the installations or locations outside the
8 United States, and in the amounts, set forth in the fol-
9 lowing table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Unspecified Worldwide	Unspecified Worldwide Locations	\$142,500,000

10 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
11 **FENSE AGENCIES.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are hereby authorized to be appropriated for fiscal years
14 beginning after September 30, 2020, for military con-
15 struction, land acquisition, and military family housing
16 functions of the Department of Defense (other than the
17 military departments), as specified in the funding table
18 in section 4601.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variation authorized by law, the total cost
5 of all projects carried out under section 2401 of this Act
6 may not exceed the total amount authorized to be appro-
7 priated under subsection (a), as specified in the funding
8 table in section 4601.

9 **TITLE XXV—INTERNATIONAL**
10 **PROGRAMS**
11 **Subtitle A—North Atlantic Treaty**
12 **Organization Security Invest-**
13 **ment Program**

14 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
15 **ACQUISITION PROJECTS.**

16 The Secretary of Defense may make contributions for
17 the North Atlantic Treaty Organization Security Invest-
18 ment Program as provided in section 2806 of title 10,
19 United States Code, in an amount not to exceed the sum
20 of the amount authorized to be appropriated for this pur-
21 pose in section 2502 and the amount collected from the
22 North Atlantic Treaty Organization as a result of con-
23 struction previously financed by the United States.

1 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

2 (a) AUTHORIZATION.—Funds are hereby authorized
3 to be appropriated for fiscal years beginning after Sep-
4 tember 30, 2020, for contributions by the Secretary of De-
5 fense under section 2806 of title 10, United States Code,
6 for the share of the United States of the cost of projects
7 for the North Atlantic Treaty Organization Security In-
8 vestment Program authorized by section 2501 as specified
9 in the funding table in section 4601.

10 (b) AUTHORITY TO RECOGNIZE NATO AUTHORIZA-
11 TION AMOUNTS AS BUDGETARY RESOURCES FOR
12 PROJECT EXECUTION.—When the United States is des-
13 igned as the Host Nation for the purposes of executing
14 a project under the NATO Security Investment Program
15 (NSIP), the Department of Defense construction agent
16 may recognize the NATO project authorization amounts
17 as budgetary resources to incur obligations for the pur-
18 poses of executing the NSIP project.

19 **SEC. 2503. EXECUTION OF PROJECTS UNDER THE NORTH**
20 **ATLANTIC TREATY ORGANIZATION SECURITY**
21 **INVESTMENT PROGRAM.**

22 (a) IN GENERAL.—Subchapter II of chapter 138 of
23 title 10, United States Code, is amended by striking sec-
24 tion 2350m and inserting the following new section
25 2350m:

1 **“§ 2350m. Execution of projects under the North At-**
2 **lantic Treaty Organization Security In-**
3 **vestment Program**

4 “(a) AUTHORITY TO EXECUTE PROJECTS.—When
5 the United States is designated as the Host Nation for
6 purposes of executing a project under the North Atlantic
7 Treaty Organization Security Investment Program (in this
8 section referred to as the ‘Program’), the Secretary of De-
9 fense may accept such designation and carry out such
10 project consistent with the requirements of this section.

11 “(b) PROJECT FUNDING.—The Secretary of Defense
12 may fund authorized expenditures of projects accepted
13 under subsection (a) with—

14 “(1) contributions under subsection (c);

15 “(2) appropriations of the Department of De-
16 fense for the Program when directed by the North
17 Atlantic Treaty Organization to apply amounts of
18 such appropriations as part of the share of contribu-
19 tions of the United States for the Program; or

20 “(3) any combination of amounts described in
21 paragraphs (1) and (2).

22 “(c) AUTHORITY TO ACCEPT CONTRIBUTIONS.—(1)
23 The Secretary of Defense may accept contributions from
24 the North Atlantic Treaty Organization and member na-
25 tions of the North Atlantic Treaty Organization for the
26 purpose of carrying out a project under subsection (a).

1 “(2) Contributions accepted under paragraph (1)
2 shall be placed in an account established for the purpose
3 of carrying out the project for which the funds were pro-
4 vided and shall remain available until expended.

5 “(3)(A) If contributions are made under paragraph
6 (1) as reimbursement for a project or portion of a project
7 previously completed by the Department of Defense, such
8 contributions shall be credited to—

9 “(i) the appropriations used for the project or
10 portion thereof, if such appropriations have not yet
11 expired; or

12 “(ii) the appropriations for the Program, if the
13 appropriations described in clause (i) have expired.

14 “(B) Funding credited under subparagraph (A) shall
15 merge with and remain available for the same purposes
16 and duration as the appropriations to which credited.

17 “(d) OBLIGATION AUTHORITY.—The construction
18 agent of the Department of Defense designated by the
19 Secretary of Defense to execute a project under subsection
20 (a) may recognize the North Atlantic Treaty Organization
21 project authorization amounts as budgetary resources to
22 incur obligations against for the purposes of executing the
23 project.

24 “(e) INSUFFICIENT CONTRIBUTIONS.—(1) In the
25 event that the North Atlantic Treaty Organization does

1 not agree to contribute funding for all costs necessary for
2 the Department of Defense to carry out a project under
3 subsection (a), including necessary personnel costs of the
4 construction agent designated by the Department of De-
5 fense, contract claims, and any conjunctive funding re-
6 quirements that exceed the project authorization or stand-
7 ards of the North Atlantic Treaty Organization, the Sec-
8 retary of Defense, upon determination that completion of
9 the project is in the national interest of the United States,
10 may fund such costs using any funds available in appro-
11 priations for the Program.

12 “(2) The use of funds under paragraph (1) from ap-
13 propriations for the Program may be in addition to or in
14 place of any other funding sources otherwise available for
15 the purposes for which those funds are used.

16 “(f) AUTHORIZED EXPENDITURES DEFINED.—In
17 this section, the term ‘authorized expenditures’ means
18 project expenses for which the North Atlantic Treaty Or-
19 ganization has agreed to contribute funding.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of subchapter II of chapter 138 of such
22 title is amended by striking the item relating to section
23 2350m and inserting the following new item:

“2350m. Execution of projects under the North Atlantic Treaty Organization
Security Investment Program.”.

24 (c) CONFORMING REPEALS.—

1 (1) 2019.—Section 2502 of the John S.
 2 McCain National Defense Authorization Act for Fis-
 3 cal Year 2019 (Public Law 115–232; 132 Stat.
 4 2252) is amended—

5 (A) in subsection (a)—

6 (i) by striking “(a) AUTHORIZA-
 7 TION.—Funds” and inserting “Funds”;
 8 and

9 (ii) by striking the second sentence;

10 and

11 (B) by striking subsection (b).

12 (2) 2020.—Section 2502 of the National De-
 13 fense Authorization Act for Fiscal Year 2020 (Pub-
 14 lic Law 116–92) is amended—

15 (A) in subsection (a), by striking “(a) AU-
 16 THORIZATION.—Funds” and inserting
 17 “Funds”; and

18 (B) by striking subsection (b).

19 **Subtitle B—Host Country In-Kind**
 20 **Contributions**

21 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
 22 **PROJECTS.**

23 Pursuant to agreement with the Republic of Korea
 24 for required in-kind contributions, the Secretary of De-
 25 fense may accept military construction projects for the in-

- 1 stallations or locations in the Republic of Korea, and in
 2 the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Carroll	Site Development	\$49,000,000
Army	Camp Humphreys	Attack Reconnaissance Battalion Hangar	\$99,000,000
Army	Camp Humphreys	Hot Refuel Point	\$35,000,000
Navy	COMROKFLT Naval Base, Busan	Maritime Operations Cen- ter	\$26,000,000
Air Force	Daegu Air Base ..	AGE Facility and Parking Apron	\$14,000,000
Air Force	Kunsan Air Base	Backup Generator Plant ...	\$19,000,000
Air Force	Osan Air Base	Aircraft Corrosion Control Facility (Phase 3)	\$12,000,000
Air Force	Osan Air Base	Child Development Center	\$20,000,000
Air Force	Osan Air Base	Relocate Munitions Stor- age Area Delta (Phase 1)	\$84,000,000
Defense-Wide	Camp Humphreys	Elementary School	\$58,000,000

3 **SEC. 2512. QATAR FUNDED CONSTRUCTION PROJECTS.**

- 4 Pursuant to agreement with the State of Qatar for
 5 required in-kind contributions, the Secretary of Defense
 6 may accept military construction projects for the installa-
 7 tion in the State of Qatar, and in the amounts, set forth
 8 in the following table:

State of Qatar Funded Construction Projects

Component	Installation or Location	Project	Amount
Air Force	Al Udeid	Billet (A12)	\$63,000,000
Air Force	Al Udeid	Billet (B12)	\$63,000,000
Air Force	Al Udeid	Billet (D10)	\$77,000,000
Air Force	Al Udeid	Billet (009)	\$77,000,000
Air Force	Al Udeid	Billet (007)	\$77,000,000
Air Force	Al Udeid	Armory/Mount	\$7,200,000
Air Force	Al Udeid	Billet (A06)	\$77,000,000
Air Force	Al Udeid	Dining Facility	\$14,600,000
Air Force	Al Udeid	Billet (BOS)	\$77,000,000
Air Force	Al Udeid	Billet (B04)	\$77,000,000
Air Force	Al Udeid	Billet (A04)	\$77,000,000
Air Force	Al Udeid	Billet (AOS)	\$77,000,000
Air Force	Al Udeid	Dining Facility	\$14,600,000
Air Force	Al Udeid	MSG (Base Operations Support Facility)	\$9,300,000

State of Qatar Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
Air Force	Al Udeid	ITN (Communications Facility)	\$3,500,000

1 **TITLE XXVI—GUARD AND**
2 **RESERVE FORCES FACILITIES**

3 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
4 **STRUCTION AND LAND ACQUISITION**
5 **PROJECTS.**

6 Using amounts appropriated pursuant to the author-
7 ization of appropriations in section 2606 and available for
8 the National Guard and Reserve as specified in the fund-
9 ing table in section 4601, the Secretary of the Army may
10 acquire real property and carry out military construction
11 projects for the Army National Guard installations or lo-
12 cations inside the United States, and in the amounts, set
13 forth in the following table:

Army National Guard

State	Installation or Location	Amount
Arizona	Tucson	\$18,100,000
Arkansas	Fort Chaffee	\$15,000,000
California	Bakersfield	\$9,300,000
Colorado	Peterson Air Force Base	\$15,000,000
Indiana	Shelbyville	\$12,000,000
Kentucky	Frankfort	\$15,000,000
Mississippi	Brandon	\$10,400,000
Nebraska	North Platte	\$9,300,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$15,000,000
Ohio	Columbus	\$15,000,000
Oklahoma	Ardmore	\$9,800,000
Oregon	Hermiston	\$25,035,000
Puerto Rico	Fort Allen	\$37,000,000
South Carolina	Joint Base Charleston	\$15,000,000
Tennessee	McMinnville	\$11,200,000
Texas	Fort Worth	\$13,800,000
Utah	Nephi	\$12,000,000
Virgin Islands	St. Croix	\$39,400,000
Wisconsin	Appleton	\$11,600,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 2 **AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
 4 ization of appropriations in section 2606 and available for
 5 the National Guard and Reserve as specified in the fund-
 6 ing table in section 4601, the Secretary of the Army may
 7 acquire real property and carry out military construction
 8 projects for the Army Reserve installations or locations in-
 9 side the United States, and in the amounts, set forth in
 10 the following table:

Army Reserve

State	Installation or Location	Amount
Florida	Gainesville	\$36,000,000
Massachusetts	Devens Reserve Forces Training Area	\$8,700,000
North Carolina	Asheville	\$24,000,000
Wisconsin	Fort McCoy	\$17,100,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 12 **CORPS RESERVE CONSTRUCTION AND LAND**
 13 **ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-
 15 ization of appropriations in section 2606 and available for
 16 the National Guard and Reserve as specified in the fund-
 17 ing table in section 4601, the Secretary of the Navy may
 18 acquire real property and carry out military construction
 19 projects for the Navy Reserve and Marine Corps Reserve
 20 installations or locations inside the United States, and in
 21 the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Installation or Location	Amount
Maryland	Reisterstown	\$39,500,000
Minnesota	Naval Operational Support Center Minneapolis.	\$12,800,000
Utah	Hill Air Force Base	\$25,010,000

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRU-**
2 **CTION AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
4 ization of appropriations in section 2606 and available for
5 the National Guard and Reserve as specified in the fund-
6 ing table in section 4601, the Secretary of the Air Force
7 may acquire real property and carry out military construc-
8 tion projects for the Air National Guard installations or
9 locations inside the United States, and in the amounts,
10 set forth in the following table:

Air National Guard

State	Installation or Location	Amount
Alabama	Montgomery Regional Airport	\$23,600,000
Guam	Joint Region Marianas	\$20,000,000
Maryland	Joint Base Andrews	\$9,400,000
North Dakota	Hector International Airport	\$17,500,000
Texas	Joint Base San Antonio	\$10,800,000

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRU-**
12 **CTION AND LAND ACQUISITION PROJECTS.**

13 Using amounts appropriated pursuant to the author-
14 ization of appropriations in section 2606 and available for
15 the National Guard and Reserve as specified in the fund-
16 ing table in section 4601, the Secretary of the Air Force
17 may acquire real property and carry out military construc-

1 tion projects for the installation inside the United States,
 2 and in the amount, set forth in the following table:

Air Force Reserve

State	Installation	Amount
Texas	Joint Reserve Base Fort Worth	\$39,200,000

3 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 4 **TIONAL GUARD AND RESERVE.**

5 Funds are hereby authorized to be appropriated for
 6 fiscal years beginning after September 30, 2020, for the
 7 costs of acquisition, architectural and engineering services,
 8 and construction of facilities for the Guard and Reserve
 9 Forces, and for contributions therefor, under chapter
 10 1803 of title 10, United States Code (including the cost
 11 of acquisition of land for those facilities), as specified in
 12 the funding table in section 4601.

13 **SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT**
 14 **FISCAL YEAR 2020 PROJECT IN ALABAMA.**

15 In the case of the authorization contained in the table
 16 in section 2601 of the Military Construction Authorization
 17 Act for Fiscal Year 2020 (division B of Public Law 116–
 18 92) for Anniston Army Depot, Alabama, for construction
 19 of an Enlisted Transient Barracks as specified in the
 20 funding table in section 4601 of such Act, the Secretary
 21 of the Army may construct a training barracks at Fort
 22 McClellan, Alabama.

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
5 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
6 **TIES FUNDED THROUGH DEPARTMENT OF**
7 **DEFENSE BASE CLOSURE ACCOUNT.**

8 Funds are hereby authorized to be appropriated for
9 fiscal years beginning after September 30, 2020, for base
10 realignment and closure activities, including real property
11 acquisition and military construction projects, as author-
12 ized by the Defense Base Closure and Realignment Act
13 of 1990 (part A of title XXIX of Public Law 101–510;
14 10 U.S.C. 2687 note) and funded through the Department
15 of Defense Base Closure Account established by section
16 2906 of such Act (as amended by section 2711 of the Mili-
17 tary Construction Authorization Act for Fiscal Year 2013
18 (division B of Public Law 112–239; 126 Stat. 2140)), as
19 specified in the funding table in section 4601.

20 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
21 **BASE REALIGNMENT AND CLOSURE (BRAC)**
22 **ROUND.**

23 Nothing in this Act shall be construed to authorize
24 an additional Base Realignment and Closure (BRAC)
25 round.

1 **SEC. 2703. PLAN TO FINISH REMEDIATION ACTIVITIES CON-**
 2 **DUCTED BY THE SECRETARY OF THE ARMY**
 3 **IN UMATILLA, OREGON.**

4 Not later than 90 days after the date of the enact-
 5 ment of this Act, the Secretary of the Army shall submit
 6 to Congress a plan to finish remediation activities con-
 7 ducted by the Secretary in Umatilla, Oregon, by not later
 8 than three years after such date of enactment.

9 **TITLE XXVIII—MILITARY CON-**
 10 **STRUCTION AND GENERAL**
 11 **PROVISIONS**

12 **Subtitle A—Military Construction**
 13 **Program**

14 **SEC. 2801. RESPONSIBILITY OF NAVY FOR MILITARY CON-**
 15 **STRUCTION REQUIREMENTS FOR CERTAIN**
 16 **FLEET READINESS CENTERS.**

17 In the case in which a Fleet Readiness Center is a
 18 tenant command aboard an installation of the Marine
 19 Corps, the Navy shall be responsible for programming, re-
 20 questing, and executing any military construction require-
 21 ments for the Fleet Readiness Center.

22 **SEC. 2802. CONSTRUCTION OF GROUND-BASED STRATEGIC**
 23 **DETERRENT LAUNCH FACILITIES AND**
 24 **LAUNCH CENTERS FOR AIR FORCE.**

25 (a) **AUTHORITY TO CARRY OUT PROJECTS.**—Subject
 26 to subsections (b) and (d) and within the amount appro-

1 priated for such purpose, the Secretary of the Air Force
2 may carry out military construction projects to convert
3 Minuteman III launch facilities and launch centers to
4 ground-based strategic deterrent configurations.

5 (b) MASTER PLAN.—

6 (1) IN GENERAL.—Prior to the authority under
7 subsection (a) being available for use, the Secretary
8 of the Air Force shall submit to the congressional
9 defense committees a master plan, broken out by
10 year and location, for the planned launch facilities
11 and launch centers to be converted to ground-based
12 strategic deterrent configurations pursuant to a
13 project under this section.

14 (2) SPENDING PLAN.—The master plan sub-
15 mitted under paragraph (1) shall include a spending
16 plan with estimated amounts to be requested with
17 respect to each planned location for conversion to
18 ground-based strategic deterrent configurations.

19 (c) MANAGEMENT OF DESIGN AND CONSTRUC-
20 TION.—The Secretary of the Air Force may select a single,
21 prime contractor to manage the design and construction
22 phases of projects carried out under subsection (a).

23 (d) CONGRESSIONAL NOTIFICATION.—

24 (1) REPORT.—When a decision is made to
25 carry out a project under subsection (a) and before

1 carrying out such project, the Secretary of the Air
2 Force shall submit to the congressional defense com-
3 mittees a report on that decision.

4 (2) ELEMENTS.—Subject to paragraph (3), the
5 report submitted under paragraph (1) with respect
6 to a project under subsection (a) shall include a jus-
7 tification for carrying out the project and a complete
8 Department of Defense Form 1391 for the project.

9 (3) SINGLE SUBMISSION.—The Secretary of the
10 Air Force may group multiple locations at which a
11 project is to be carried out under subsection (a) into
12 a single submission on a Department of Defense
13 Form 1391 to allow all included locations to be con-
14 sidered as a single project.

15 (e) FUNDING.—In fiscal year 2021, the Secretary of
16 the Air Force may expend amounts available to the Sec-
17 retary for research, development, test, and evaluation for
18 the purposes of planning and design to support the
19 projects described in subsection (a).

20 (f) EXISTING AUTHORITIES.—The Secretary of the
21 Air Force shall use existing authorities, as applicable, to
22 carry out this section, including sections 2304 and 2853
23 of title 10, United States Code.

1 **Subtitle B—Military Family**
2 **Housing**

3 **SEC. 2821. PROHIBITION ON SUBSTANDARD FAMILY HOUS-**
4 **ING UNITS.**

5 (a) **IN GENERAL.**—Subchapter II of chapter 169 of
6 title 10, United States Code, is amended by striking sec-
7 tion 2830 and inserting the following new section:

8 **“§ 2830. Prohibition on substandard family housing**
9 **units**

10 “The Secretary concerned may not lease a sub-
11 standard family housing unit to a member of a uniformed
12 service for occupancy by such member.”.

13 (b) **CLERICAL AMENDMENT.**—The table of sections
14 at the beginning of subchapter II of such chapter is
15 amended by striking the item relating to section 2830 and
16 inserting the following new item:

“2830. Prohibition on substandard family housing units.”.

17 (c) **EFFECTIVE DATE.**—The amendments made by
18 this section shall take effect on October 1, 2021.

19 **SEC. 2822. TECHNICAL CORRECTIONS TO PRIVATIZED MILI-**
20 **TARY HOUSING PROGRAM.**

21 (a) **CHIEF HOUSING OFFICER.**—Section 2890a of
22 title 10, United States Code—

23 (1) is amended—

1 (A) in subsection (a)(1), by striking “hous-
2 ing units” and inserting “all military housing”;
3 and

4 (B) in subsection (b)(1), in the matter pre-
5 ceding subparagraph (A), by striking “under
6 subchapter IV and this subchapter” and insert-
7 ing “by the Department of Defense under this
8 chapter”;

9 (2) is transferred so as to appear at the end of
10 subchapter III of chapter 169 of such title; and

11 (3) is redesignated as section 2870a.

12 (b) PRIVATIZED HOUSING REFORM.—Subchapter V
13 of chapter 169 of such title is amended—

14 (1) in section 2890—

15 (A) in subsection (b)(15), by striking “and
16 held in escrow”;

17 (B) in subsection (e)(2), in the matter pre-
18 ceding subparagraph (A), by inserting “a” be-
19 fore “landlord”; and

20 (C) in subsection (f)(2)—

21 (i) by striking “executed as” and in-
22 serting “executed—

23 “(A) as”;

1 (ii) in subparagraph (A), as des-
 2 ignated by clause (i), by striking the period
 3 at the end and inserting “; or”; and

4 (iii) by adding at the end the fol-
 5 lowing new subparagraph:

6 “(B) to avoid litigation if the tenant has re-
 7 tained legal counsel or has sought military legal as-
 8 sistance under section 1044 of this title.”;

9 (2) in section 2891—

10 (A) in subsection (e)—

11 (i) in paragraph (1)—

12 (I) in the matter preceding sub-
 13 paragraph (A), by inserting “unit”
 14 after “different housing”;

15 (II) in subparagraph (B), by in-
 16 serting “the” before “tenant”; and

17 (ii) in paragraph (2)(B), by inserting
 18 “the” before “tenant”;

19 (3) in section 2891a—

20 (A) in subsection (b)(2), by adding a pe-
 21 riod at the end;

22 (B) in subsection (d)(11)—

23 (i) by striking “A landlord” and in-
 24 serting “Upon request by a prospective
 25 tenant, a landlord”; and

1 (ii) by striking “prospective tenants to
2 housing units” and inserting “the prospec-
3 tive tenant to a housing unit”; and

4 (C) in subsection (e)(2)(B) by striking
5 “the any” and inserting “any”;

6 (4) in section 2892a—

7 (A) by striking “The Secretary concerned”
8 and inserting “(a) IN GENERAL.—The Sec-
9 retary concerned”;

10 (B) by striking “years. In this section”
11 and inserting “years.

12 “(b) MAINTENANCE DEFINED.—In this section”;

13 (C) in subsection (a), as designated by
14 subparagraph (A), by striking “housing unit,
15 before the prospective tenant” and all that fol-
16 lows through the period at the end and insert-
17 ing “housing unit—

18 “(1) not later than five business days before the
19 prospective tenant is asked to sign the lease, a sum-
20 mary of maintenance conducted with respect to that
21 housing unit for the previous seven years; and

22 “(2) not later than two business days after re-
23 quested by the prospective tenant, all information re-
24 garding maintenance conducted with respect to that
25 housing unit during such period.”; and

1 (D) in subsection (b), as designated by
2 subparagraph (B), by striking “such period”
3 and inserting “the period specified in subsection
4 (a)(1)”;

5 (5) in section 2893, by striking “propensity
6 for” and inserting “pattern of”; and

7 (6) in section 2894—

8 (A) in subsection (b), by adding at the end
9 the following new paragraph:

10 “(6) The dispute resolution process shall require the
11 installation or regional commander (as the case may be)
12 to record each dispute in the complaint database estab-
13 lished under section 2894a of this title.”;

14 (B) in subsection (c)—

15 (i) in paragraph (1), in the matter
16 preceding subparagraph (A), by striking
17 “24 hours” and inserting “two business
18 days”;

19 (ii) in paragraph (3)—

20 (I) by inserting “business” before
21 “days”; and

22 (II) by inserting “, such office”
23 before “shall complete”;

24 (iii) in paragraph (4), in the matter
25 preceding subparagraph (A), by inserting

1 “, at a minimum,” before “the following
2 persons”;

3 (iv) in paragraph (5)—

4 (I) by inserting “calendar” before
5 “days” each place it appears; and

6 (II) in subparagraph (B), by
7 striking “30-day period” and inserting
8 “30-calendar-day period”; and

9 (v) by striking paragraph (6) and in-
10 serting the following new paragraph (6):

11 “(6) Except as provided in paragraph (5)(B), a final
12 decision shall be transmitted to the tenant, landlord, and
13 the installation or regional commander (as the case may
14 be) not later than 30 calendar days after the request was
15 submitted.”; and

16 (C) in subsection (e)—

17 (i) by striking paragraph (3);

18 (ii) by redesignating paragraph (2) as
19 paragraph (3);

20 (iii) in paragraph (1), in the matter
21 preceding subparagraph (A), by striking “,
22 the tenant may” and all that follows
23 through “in which—” and inserting “re-
24 garding maintenance guidelines or proce-
25 dures or habitability, the tenant may re-

1 quest that all or part of the payments de-
2 scribed in paragraph (3) for lease of the
3 housing unit be segregated and not used
4 by the property owner, property manager,
5 or landlord pending completion of the dis-
6 pute resolution process.

7 “(2) The amount allowed to be withheld under para-
8 graph (1) shall be limited to amounts associated with the
9 period in which—”; and

10 (iv) in paragraph (3), as redesignated
11 by clause (ii), by striking “Paragraph (1)”
12 and inserting “This subsection”.

13 (c) REPORTS.—Section 2884(c)(10) of such title is
14 amended by striking “specific analysis” and all that fol-
15 lows through the period at the end and inserting “list of
16 dispute resolution cases by installation and the final out-
17 come of each such case.”.

18 (d) PAYMENT AUTHORITY.—Section 606(a) of the
19 John S. McCain National Defense Authorization Act for
20 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2871
21 note) is amended—

22 (1) in paragraph (1)(A), by inserting “month-
23 ly” before “payments”;

24 (2) in paragraph (2)(A), by striking “payments
25 to” and all that follows through “subparagraph (C)”

1 and inserting “monthly payments, under such terms
2 and in such amounts as determined by the Sec-
3 retary, to one of more lessors responsible for under-
4 funded MHPI housing projects identified pursuant
5 to subparagraph (C) under the jurisdiction of the
6 Secretary”; and

7 (3) in paragraph (3)(B), by inserting “that” be-
8 fore “require”.

9 (e) SUSPENSION OF RESIDENT ENERGY CONSERVA-
10 TION PROGRAM.—Section 3063(b) of the National De-
11 fense Authorization Act for Fiscal Year 2020 (Public Law
12 116–92) is amended—

13 (1) by striking “on the installation military
14 housing unit”; and

15 (2) by striking “on the” and inserting “covered
16 by a program suspended under subsection (a) on
17 that”.

18 (f) CLERICAL AMENDMENTS.—

19 (1) CHIEF HOUSING OFFICER.—

20 (A) ADDITION.—The table of sections at
21 the beginning of subchapter III of chapter 169
22 of title 10, United States Code, is amended by
23 inserting after the item relating to section 2870
24 the following new item:

“2870a. Chief Housing Officer.”.

1 (B) REPEAL.—The table of sections at the
2 beginning of subchapter V of chapter 169 of
3 such title is amended by striking the item relat-
4 ing to section 2890a.

5 (2) DISCLOSURE OF PERSONALLY IDENTIFI-
6 ABLE INFORMATION.—The table of sections at the
7 beginning of subchapter V of such title is amended
8 by striking the item relating to section 2892b and
9 inserting the following new item:

“2892b. Prohibition on requirement to disclose personally identifiable informa-
tion in requests for certain maintenance.”.

10 **SEC. 2823. REQUIREMENT THAT SECRETARY OF DEFENSE**
11 **IMPLEMENT RECOMMENDATIONS RELATING**
12 **TO MILITARY FAMILY HOUSING CONTAINED**
13 **IN REPORT BY INSPECTOR GENERAL OF DE-**
14 **PARTMENT OF DEFENSE.**

15 Not later than 90 days after the date of the enact-
16 ment of this Act, the Secretary of Defense shall implement
17 the recommendations of the Inspector General of the De-
18 partment of Defense contained in the report of the Inspec-
19 tor General dated April 30, 2020, and entitled “Evalu-
20 ation of the DoD’s Management of Health and Safety Haz-
21 ards in Government-Owned and Government-Controlled
22 Military Family Housing”.

1 **Subtitle C—Project Management**
2 **and Oversight Reforms**

3 **SEC. 2841. PROMOTION OF ENERGY RESILIENCE AND EN-**
4 **ERGY SECURITY IN PRIVATIZED UTILITY SYS-**
5 **TEMS.**

6 (a) UTILITY PRIVATIZATION CONTRACT RENEW-
7 ALS.—Section 2688(d)(2) of title 10, United States Code,
8 is amended—

9 (1) in the first sentence, by inserting “or the
10 renewal of such a contract” after “paragraph (1)”;
11 and

12 (2) by adding at the end the following new sen-
13 tence: “A renewal of a contract pursuant to this
14 paragraph may be entered into only within the last
15 5 years of the existing contract term.”.

16 (b) USE OF ERCIP FUNDS ON PRIVATIZED UTILITY
17 SYSTEMS.—Section 2914 of such title is amended—

18 (1) by redesignating subsection (c) as sub-
19 section (d); and

20 (2) by inserting after subsection (b) the fol-
21 lowing new subsection (c):

22 “(c) USE OF CERTAIN OTHER AUTHORITIES.—A
23 project under this section may be—

24 “(1) carried out in conjunction with the au-
25 thorities provided in subsections (j), and (k) of sec-

1 tion 2688 of this title and section 2913 of this title,
 2 notwithstanding that the United States does not own
 3 a utility system covered by the project; or

4 “(2) included as a separate requirement in a
 5 contract entered into pursuant to title VIII of the
 6 National Energy Conservation Policy Act (42 U.S.C.
 7 8287 et seq.).”.

8 **SEC. 2842. CONSIDERATION OF ENERGY SECURITY AND EN-**
 9 **ERGY RESILIENCE IN LIFE-CYCLE COST FOR**
 10 **MILITARY CONSTRUCTION.**

11 (a) IN GENERAL.—Subchapter I of chapter 169 of
 12 title 10, United States Code, is amended by inserting after
 13 section 2815 the following new section:

14 **“§ 2816. Consideration of energy security and energy**
 15 **resilience in life-cycle cost for military**
 16 **construction**

17 “(a) IN GENERAL.—(1) The Secretary concerned,
 18 when evaluating the life-cycle designed cost of a covered
 19 military construction project, shall include as a facility re-
 20 quirement the long-term consideration of energy security
 21 and energy resilience that would ensure that the resulting
 22 facility is capable of continuing to perform its missions,
 23 during the life of the facility, in the event of a natural
 24 or human-caused disaster, an attack, or any other un-

1 planned event that would otherwise interfere with the abil-
2 ity of the facility to perform its missions.

3 “(2) A facility requirement under paragraph (1) shall
4 not be weighed, for cost purposes, against other facility
5 requirements in determining the design of the facility.

6 “(b) INCLUSION IN THE BUILDING LIFE-CYCLE COST
7 PROGRAM.—The Secretary shall include the requirements
8 of subsection (a) in applying the latest version of the
9 building life-cycle cost program, as developed by the Na-
10 tional Institute of Standards and Technology, to consider
11 on-site distributed energy assets in a building design for
12 a covered military construction project.

13 “(c) COVERED MILITARY CONSTRUCTION PROJECT
14 DEFINED.—(1) In this section, the term ‘covered military
15 construction project’ means a military construction project
16 for a facility that is used to perform critical functions dur-
17 ing a natural or human-caused disaster, an attack, or any
18 other unplanned event.

19 “(2) For purposes of paragraph (1), the term ‘facil-
20 ity’ includes any of the following:

21 “(A) Operations centers.

22 “(B) Nuclear command and control facilities.

23 “(C) Integrated strategic and tactical warning
24 and attack assessment facilities.

25 “(D) Continuity of government facilities.

1 “(E) Missile defense facilities.

2 “(F) Air defense facilities.

3 “(G) Hospitals.

4 “(H) Armories and readiness centers of the Na-
5 tional Guard.

6 “(I) Communications facilities.

7 “(J) Satellite and missile launch and control fa-
8 cilities.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of subchapter I of such chapter is amend-
11 ed by inserting after the item relating to section 2815 the
12 following new item:

“2816. Consideration of energy security and energy resilience in life-cycle cost
for military construction.”.

13 **Subtitle D—Land Conveyances**

14 **SEC. 2861. RENEWAL OF FALLON RANGE TRAINING COM- 15 PLEX LAND WITHDRAWAL AND RESERVA- 16 TION.**

17 Notwithstanding section 3015 of the Military Lands
18 Withdrawal Act of 1999 (title XXX of Public Law 106–
19 65; 113 Stat. 892), the withdrawal and reservation of
20 lands (known as the Fallon Range Training Complex)
21 made by section 3011(a) of such Act (113 Stat. 885) shall
22 terminate on November 6, 2041.

1 **SEC. 2862. RENEWAL OF NEVADA TEST AND TRAINING**
2 **RANGE LAND WITHDRAWAL AND RESERVA-**
3 **TION.**

4 Notwithstanding section 3015 of the Military Lands
5 Withdrawal Act of 1999 (title XXX of Public Law 106–
6 65; 113 Stat. 892), the withdrawal and reservation of
7 lands (known as the Nevada Test and Training Range)
8 made by section 3011(b) of such Act (113 Stat. 886) shall
9 terminate on November 6, 2041.

10 **SEC. 2863. TRANSFER OF LAND UNDER THE ADMINISTRA-**
11 **TIVE JURISDICTION OF THE DEPARTMENT**
12 **OF THE INTERIOR WITHIN NAVAL SUPPORT**
13 **ACTIVITY PANAMA CITY, FLORIDA.**

14 (a) **AUTHORITY.**—The Secretary of the Interior shall
15 transfer to the Secretary of the Navy, without consider-
16 ation, approximately 1.23 acres of land within Naval Sup-
17 port Activity Panama City, Florida, that are used on the
18 day before the date of the enactment of this Act by the
19 Department of the Navy pursuant to Executive Order
20 10355 (17 Fed. Reg. 4831; relating to delegating to the
21 Secretary of the Interior the authority of the President
22 to withdraw or reserve lands of the United States for pub-
23 lic purposes) and the public land order entitled “Public
24 Land Order 952” (19 Fed. Reg. 2085 (April 10, 1954)).

25 (b) **STATUS OF FEDERAL LAND AFTER TRANS-**
26 **FER.**—Upon completion of a transfer to the Secretary of

1 the Navy of a parcel of land under subsection (a), the par-
2 cel received by the Secretary of the Navy shall cease to
3 be public land and shall be treated as property (as defined
4 in section 102(9) of title 40, United States Code) under
5 the administrative jurisdiction of the Secretary of the
6 Navy.

7 (c) REIMBURSEMENT.—The Secretary of the Navy
8 shall reimburse the Secretary of the Interior for any costs
9 incurred by the Secretary of the Interior for preparing a
10 legal description of the land to be transferred under sub-
11 section (a).

12 **SEC. 2864. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.**

13 (a) CONVEYANCE AUTHORIZED.—The Secretary of
14 the Army (in this section referred to as the “Secretary”)
15 may convey, without consideration, to the State of Arizona
16 Department of Emergency and Military Affairs (in this
17 section referred to as the “State”), all right, title, and in-
18 terest of the United States in and to a parcel of real prop-
19 erty (in this section referred to as the “Property”), includ-
20 ing any improvements thereon, consisting of not more
21 than 3,000 acres at Camp Navajo, Arizona, for the pur-
22 pose of permitting the State to use the Property for—

23 (1) training the Arizona Army and Air National
24 Guard; and

1 (2) defense industrial base economic develop-
2 ment purposes that are compatible with the environ-
3 mental security and primary National Guard train-
4 ing purpose of Camp Navajo.

5 (b) CONDITIONS ON CONVEYANCE.—The conveyance
6 authorized by subsection (a) shall be subject to the fol-
7 lowing conditions:

8 (1) USE OF REVENUES.—The State shall use
9 all revenues generated by uses of the Property to
10 support the training requirements of the Arizona
11 Army and Air National Guard, to include necessary
12 infrastructure maintenance and capital improve-
13 ments.

14 (2) AUDIT.—The United States Property and
15 Fiscal Office for the State of Arizona shall periodi-
16 cally audit all revenues generated by uses of the
17 Property and all uses of such revenue, and shall pro-
18 vide the audit results to the Chief of the National
19 Guard Bureau.

20 (c) REVERSIONARY INTEREST.—

21 (1) IN GENERAL.—If the Secretary determines
22 at any time that the Property is not being used in
23 accordance with the purpose of the conveyance au-
24 thorized by subsection (a), or that the State has not
25 complied with the conditions specified in subsection

1 (b), all right, title, and interest in and to the Prop-
2 erty, including any improvements thereto, shall, at
3 the option of the Secretary, revert to and become the
4 property of the United States, and the United States
5 shall have the right of immediate entry onto the
6 Property.

7 (2) RECORD.—A determination by the Sec-
8 retary under paragraph (1) shall be made on the
9 record after an opportunity for a hearing.

10 (d) ALTERNATIVE CONSIDERATION OPTION.—

11 (1) CONSIDERATION OPTION.—In lieu of exer-
12 cising the reversionary interest under subsection (c),
13 the Secretary may accept an offer by the State to
14 pay to the United States an amount equal to the fair
15 market value of the Property, excluding the value of
16 any improvements on the Property constructed with-
17 out Federal funds after the date of the conveyance
18 authorized by subsection (a), as determined by the
19 Secretary.

20 (2) TREATMENT OF CONSIDERATION RE-
21 CEIVED.—Consideration received by the Secretary
22 under paragraph (1) shall be deposited in the special
23 account in the Treasury established for the Sec-
24 retary under subsection (e) of section 2667 of title
25 10, United States Code, and shall be available to the

1 Secretary for the same uses and subject to the same
2 limitations as provided in that section.

3 (e) PAYMENT OF COST OF CONVEYANCE.—

4 (1) PAYMENT REQUIRED.—

5 (A) IN GENERAL.—The Secretary shall re-
6 quire the State to cover costs to be incurred by
7 the Secretary, or to reimburse the Secretary for
8 such costs incurred by the Secretary, to carry
9 out the conveyance under subsection (a), includ-
10 ing survey costs, costs for environmental docu-
11 mentation related to the conveyance, and any
12 other administrative costs related to the convey-
13 ance.

14 (B) REFUND OF EXCESS AMOUNTS.—If
15 amounts are collected from the State in ad-
16 vance of the Secretary incurring the actual
17 costs, and the amount collected exceeds the
18 costs actually incurred by the Secretary to carry
19 out the conveyance, the Secretary shall refund
20 the excess amount to the State.

21 (2) TREATMENT OF AMOUNTS RECEIVED.—

22 Amounts received as reimbursement under para-
23 graph (1)(A) shall be credited to the fund or account
24 that was used to cover those costs incurred by the
25 Secretary in carrying out the conveyance or, if the

1 period of availability for obligations for that appro-
2 priation has expired, to the appropriations or fund
3 that is currently available to the Secretary for the
4 same purpose. Amounts so credited shall be merged
5 with amounts in such fund or account, and shall be
6 available for the same purposes, and subject to the
7 same conditions and limitations, as amounts in such
8 fund or account.

9 (f) DESCRIPTION OF PROPERTY.—The exact acreage
10 and legal description of the Property shall be determined
11 by a survey satisfactory to the Secretary.

12 (g) ADDITIONAL TERMS AND CONDITIONS.—The
13 Secretary may require such additional terms and condi-
14 tions in connection with the conveyance as the Secretary
15 considers appropriate to protect the interests of the
16 United States.

17 (h) ENVIRONMENTAL OBLIGATIONS.—Nothing in
18 this section shall be construed as alleviating, altering, or
19 affecting the responsibility of the United States for clean-
20 up and remediation of the Property in accordance with—

21 (1) the Defense Environmental Restoration
22 Program under section 2701(a)(1) of title 10,
23 United States Code; and

1 (2) the Comprehensive Environmental Re-
2 sponse, Compensation, and Liability Act of 1980 (42
3 U.S.C. 9601 et seq.).

4 **Subtitle E—Other Matters**

5 **SEC. 2881. MILITARY FAMILY READINESS CONSIDERATIONS** 6 **IN BASING DECISIONS.**

7 (a) TAKING OF CONSIDERATIONS INTO ACCOUNT
8 REQUIRED.—In determining whether to proceed with any
9 basing decision in the United States after the date of the
10 enactment of this Act, the Secretary of the military de-
11 partment concerned shall take into account, among such
12 other factors as such Secretary considers appropriate, the
13 military family readiness considerations specified in sub-
14 section (b).

15 (b) MILITARY FAMILY READINESS CONSIDER-
16 ATIONS.—The military family readiness considerations
17 specified in this subsection are the following:

18 (1) INTERSTATE PORTABILITY OF PROFES-
19 SIONAL LICENSURE AND CERTIFICATION CREDEN-
20 TIALS.—The extent to which the State in which the
21 installation subject to the basing decision is or will
22 be located accepts as valid professional licensure and
23 certification credentials obtained in other States, in-
24 cluding professional licensure and certification cre-

1 dentials in the following professional fields (and any
2 subfield of such field):

3 (A) Accounting.

4 (B) Cosmetology.

5 (C) Emergency medical service.

6 (D) Engineering.

7 (E) Law.

8 (F) Nursing.

9 (G) Physical therapy.

10 (H) Psychology.

11 (I) Teaching.

12 (J) Such other professional fields (and
13 subfields of such fields) as the Secretary of De-
14 fense shall specify for purposes of this para-
15 graph.

16 (2) PUBLIC EDUCATION.—The extent to which
17 public education is available and accessible to de-
18 pendents of members of the Armed Forces in the
19 military housing area in which the installation sub-
20 ject to the basing decision is or will be located, in-
21 cluding with respect to the following:

22 (A) Academic performance of schools, in-
23 cluding student-to-teacher ratios and learning
24 rates and graduation rates.

1 (B) Social climate within schools, including
2 absenteeism rates and suspension rates.

3 (C) Availability, accessibility, and quality
4 of services, including pre-kindergarten, coun-
5 selors and mental health support, student-to-
6 nurse ratios, and services for military depend-
7 ents with special needs as required by law.

8 (3) HOUSING.—The extent to which housing
9 (including family housing) that meets Department of
10 Defense requirements is available and accessible to
11 members of the Armed Forces through the private
12 sector in the military housing area in which the in-
13 stallation subject to the basing decision is or will be
14 located.

15 (4) HEALTH CARE.—The extent to which pri-
16 mary healthcare and specialty healthcare is available
17 and accessible to dependents of members of the
18 Armed Forces through the private sector in the local
19 community in which the installation subject to the
20 basing decision is or will be located, including care
21 for military dependents with special needs.

22 (5) INTERGOVERNMENTAL SUPPORT.—The ex-
23 tent to which the State in which the installation sub-
24 ject to the basing decision is or will be located, and
25 local governments in the vicinity of the installation,

1 have or will have intergovernmental support agree-
2 ments with the installation for the effective and effi-
3 cient provision of public services to the installation.

4 (6) OTHER CONSIDERATIONS.—Such other con-
5 siderations in connection with military family readi-
6 ness as the Secretary of Defense shall specify for
7 purposes of this subsection.

8 (c) ANALYTICAL FRAMEWORK.—The Secretary of a
9 military department shall take into account the consider-
10 ations specified in subsection (b), among such other fac-
11 tors as the Secretary considers appropriate, in deter-
12 mining whether to proceed with a basing decision under
13 subsection (a) using an analytical framework developed by
14 the Secretary for that purpose that uses criteria based on
15 quantitative data available to the Department of Defense
16 and on such reliable quantitative data from sources out-
17 side the Department as the Secretary considers appro-
18 priate.

19 (d) BASING DECISION SCORECARD.—

20 (1) IN GENERAL.—Each Secretary of a military
21 department shall establish and maintain a scorecard
22 on military installations under the jurisdiction of
23 such Secretary, and on States and localities in which
24 such installations are or may be located, relevant to
25 the taking into account of the considerations speci-

1 fied in subsection (b) in determinations of such Sec-
2 retary on basing decisions as required by subsection
3 (a).

4 (2) UPDATE.—Each Secretary shall update the
5 scorecard required of such Secretary by this sub-
6 section not less frequently than once each year in
7 order to keep the information in such scorecard as
8 current as is practicable.

9 (3) AVAILABILITY TO PUBLIC.—A current
10 version of each scorecard under this subsection shall
11 be available to the public through an Internet
12 website of the military department concerned that is
13 accessible to the public.

14 (e) BRIEFINGS.—Not later than April 1 of each of
15 2021, 2022, and 2023, the Secretary of Defense shall brief
16 the Committees on Armed Services of the Senate and the
17 House of Representatives on actions taken pursuant to
18 this section, including a description and assessment of the
19 effect of the taking into account of the considerations
20 specified in subsection (b) on particular basing decisions
21 in the United States during the one-year period ending
22 on the date of the briefing.

23 (f) BASING DECISION DEFINED.—In this section, the
24 term “basing decision” means any of the following:

1 (1) The establishment of a new mission at a
2 military installation.

3 (2) The relocation of an existing mission from
4 a military installation to another military installa-
5 tion.

6 (3) The establishment of a new military instal-
7 lation.

8 **SEC. 2882. PROHIBITION ON USE OF FUNDS TO REDUCE AIR**
9 **BASE RESILIENCY OR DEMOLISH PROTECTED**
10 **AIRCRAFT SHELTERS IN THE EUROPEAN**
11 **THEATER WITHOUT CREATING A SIMILAR**
12 **PROTECTION FROM ATTACK.**

13 No funds authorized to be appropriated by this Act
14 or any other Act for the Department of Defense may be
15 obligated or expended to implement any activity that re-
16 duces air base resiliency or demolishes protected aircraft
17 shelters in the European theater, and the Department
18 may not otherwise implement any such activity, without
19 creating a similar protection from attack in the European
20 theater until such time as the Secretary of Defense cer-
21 tifies to the congressional defense committees that pro-
22 tected aircraft shelters are not required in the European
23 theater.

1 **SEC. 2883. PROHIBITIONS RELATING TO CLOSURE OR RE-**
2 **TURNING TO HOST NATION OF EXISTING**
3 **BASES UNDER THE EUROPEAN CONSOLIDA-**
4 **TION INITIATIVE.**

5 (a) PROHIBITION ON USE OF FUNDS.—No funds au-
6 thorized to be appropriated by this Act for fiscal year
7 2021 for the Department of Defense may be obligated or
8 expended to implement any activity that closes or returns
9 to the host nation any existing base under the European
10 Consolidation Initiative.

11 (b) PROHIBITION ON CLOSURE OR RETURN.—The
12 Secretary of Defense shall not implement any activity that
13 closes or returns to the host nation any existing base
14 under the European Consolidation Initiative until the Sec-
15 retary certifies that there is no longer a need for a rota-
16 tional military presence in the European theater.

17 **SEC. 2884. ENHANCEMENT OF AUTHORITY TO ACCEPT CON-**
18 **DITIONAL GIFTS OF REAL PROPERTY ON BE-**
19 **HALF OF MILITARY MUSEUMS.**

20 Section 2601(e)(1) of title 10, United States Code,
21 is amended by inserting “a military museum,” after “of-
22 fered to”.

1 **SEC. 2885. EQUAL TREATMENT OF INSURED DEPOSITORY**
2 **INSTITUTIONS AND CREDIT UNIONS OPER-**
3 **ATING ON MILITARY INSTALLATIONS.**

4 Section 2667 of title 10, United States Code, is
5 amended by adding at the end the following:

6 “(1) TREATMENT OF INSURED DEPOSITORY INSTITU-
7 TIONS.—(1) Each covered insured depository institution
8 operating on a military installation within the continental
9 United States may be allotted space or leased land on the
10 military installation without charge for rent or services in
11 the same manner as a credit union organized under State
12 law or a Federal credit union under section 124 of the
13 Federal Credit Union Act (12 U.S.C. 1770) if space is
14 available.

15 “(2) Each covered insured depository institution,
16 credit union organized under State law, and Federal credit
17 union operating on a military installation within the conti-
18 nental United States shall be treated equally with respect
19 to policies of the Department of Defense governing the
20 financial terms of leases, logistical support, services, and
21 utilities.

22 “(3) The Secretary concerned shall not be required
23 to provide no-cost office space or a no-cost land lease to
24 any covered insured depository institution, credit union or-
25 ganized under State law, or Federal credit union.

26 “(4) In this subsection:

1 “(A) The term ‘covered insured depository in-
2 stitution’ means an insured depository institution
3 that meets the requirements applicable to a credit
4 union organized under State law or a Federal credit
5 union under section 124 of the Federal Credit Union
6 Act (12 U.S.C. 1770). The depositors of an insured
7 depository institution shall be considered members
8 for purposes of the application of this subparagraph
9 to that section.

10 “(B) The term ‘Federal credit union’ has the
11 meaning given the term in section 101 of the Fed-
12 eral Credit Union Act (12 U.S.C. 1752).

13 “(C) The term ‘insured depository institution’
14 has the meaning given the term in section 3 of the
15 Federal Deposit Insurance Act (12 U.S.C. 1813).”.

16 **SEC. 2886. REPORT ON OPERATIONAL AVIATION UNITS IM-**
17 **PACTED BY NOISE RESTRICTIONS OR NOISE**
18 **MITIGATION MEASURES.**

19 (a) REPORT.—Not later than 90 days after the date
20 on which the Secretary of the Air Force or the Secretary
21 of the Navy determines that noise restrictions placed on
22 an operational aviation unit under the jurisdiction of the
23 Secretary concerned prohibit the unit from reaching a
24 combat ready or deployable status or prohibit the main-
25 taining of aircrew currency requirements or required noise

1 mitigation measures become cost prohibitive to the De-
2 partment of Defense, the Secretary concerned, in consulta-
3 tion with the Secretary of Defense, shall submit to the
4 congressional defense committees a report setting forth—

5 (1) recommendations to preserve or restore the
6 readiness of such unit; and

7 (2) appropriate steps to be taken by the Sec-
8 retary concerned to lower the cost of noise mitiga-
9 tion measures.

10 (b) **COST PROHIBITIVE.**—A required noise mitigation
11 measure shall be considered cost prohibitive to the Depart-
12 ment of Defense for purposes of subsection (a) if the cost
13 to implement the measure at an installation exceeds 10
14 percent of the annual budget for the installation for facili-
15 ties sustainment, restoration, and modernization.

16 **SEC. 2887. TRANSFER OF FUNDS FOR OKLAHOMA CITY NA-**
17 **TIONAL MEMORIAL ENDOWMENT FUND.**

18 Section 7(1) of the Oklahoma City National Memorial
19 Act of 1997 (16 U.S.C. 450ss–5(1)) is amended by strik-
20 ing “there is hereby authorized” and inserting “the Sec-
21 retary may provide, from the National Park Service’s na-
22 tional recreation and preservation account, the remainder
23 of”.

1 **TITLE XXIX—OVERSEAS CONTIN-**
 2 **GENY OPERATIONS MILI-**
 3 **TARY CONSTRUCTION**

4 **SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 5 **ACQUISITION PROJECTS.**

6 The Secretary of the Navy may acquire real property
 7 and carry out the military construction project for the in-
 8 stallation outside the United States, and in the amount,
 9 set forth in the following table:

Navy: Outside the United States

Country	Installation	Amount
Spain	Rota	\$59,230,000

10 **SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 11 **LAND ACQUISITION PROJECTS.**

12 The Secretary of the Air Force may acquire real
 13 property and carry out the military construction projects
 14 for the installations outside the United States, and in the
 15 amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Germany	Ramstein	\$36,345,000
	Spangdahlem Air Base	\$25,824,000
Romania	Campia Turzii	\$130,500,000

16 **SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.**

17 Funds are hereby authorized to be appropriated for
 18 fiscal years beginning after September 30, 2020, for the
 19 military construction projects outside the United States

1 authorized by this title as specified in the funding table
2 in section 4602.

3 **SEC. 2904. REPLENISHMENT OF CERTAIN MILITARY CON-**
4 **STRUCTIONS FUNDS.**

5 (a) IN GENERAL.—Of the amount authorized to be
6 appropriated for fiscal year 2021 by section 2903 and
7 available as specified in the funding table in section 4602,
8 \$3,600,000,000 shall be available for replenishment of
9 funds that were authorized to be appropriated by military
10 construction authorization Acts for fiscal years before fis-
11 cal year 2021 for military construction projects authorized
12 by such Acts, but were used instead for military construc-
13 tion projects authorized by section 2808 of title 10, United
14 States Code, in connection with the national emergency
15 along the southern land border of the United States de-
16 clared in 2019 pursuant to the National Emergencies Act
17 (50 U.S.C. 1601 et seq.).

18 (b) REPLENISHMENT BY TRANSFER.—

19 (1) IN GENERAL.—Any amounts available
20 under subsection (a) that are used for replenishment
21 of funds as described in that subsection shall be
22 transferred to the account that was the source of
23 such funds.

24 (2) INAPPLICABILITY TOWARD TRANSFER LIM-
25 TATIONS.—Any transfer of amounts under this sub-

1 section shall not count toward any limitation on
2 transfer of Department of Defense funds in section
3 1001 or 1512 or any other limitation on transfer of
4 Department of funds in law.

5 (3) SUNSET OF AUTHORITY.—The authority to
6 make transfers under this subsection shall terminate
7 on September 30, 2021.

8 (c) USE OF FUNDS.—

9 (1) IN GENERAL.—Amounts transferred under
10 subsection (b) for replenishment of funds as de-
11 scribed in subsection (a) may be used only for mili-
12 tary construction projects for which such funds were
13 originally authorized in a military construction au-
14 thorization Act described in subsection (a).

15 (2) NO INCREASE IN AUTHORIZED AMOUNT OF
16 PROJECTS.—The total amount of funds available for
17 a military construction project described in para-
18 graph (1) may not exceed the current amount au-
19 thorized for such project by applicable military con-
20 struction authorization Acts (including this Act). A
21 replenishment of funds under this section for a mili-
22 tary construction project shall not operate to in-
23 crease the authorized amount of the project or the
24 amount authorized to be available for the project.

1 **DIVISION C—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **AUTHORIZATIONS AND**
4 **OTHER AUTHORIZATIONS**
5 **TITLE XXXI—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **PROGRAMS**
8 **Subtitle A—National Security**
9 **Programs and Authorizations**

10 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
11 **TION.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are hereby authorized to be appropriated to the Depart-
14 ment of Energy for fiscal year 2021 for the activities of
15 the National Nuclear Security Administration in carrying
16 out programs as specified in the funding table in section
17 4701.

18 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
19 From funds referred to in subsection (a) that are available
20 for carrying out plant projects, the Secretary of Energy
21 may carry out new plant projects for the National Nuclear
22 Security Administration as follows:

23 Project 21–D–510, HE Synthesis, Formulation,
24 and Production, Pantex Plant, Amarillo, Texas,
25 \$31,000,000.

1 Project 21–D–511, Savannah River Plutonium
2 Processing Facility, Savannah River Site, Aiken,
3 South Carolina, \$241,900,000.

4 Project 21–D–512, Plutonium Pit Production
5 Project, Los Alamos National Laboratory, Los Ala-
6 mos, New Mexico, \$226,000,000.

7 Project 21–D–530, KL Steam and Condensate
8 Upgrades, Knolls Atomic Power Laboratory, Sche-
9 nectady, New York, \$4,000,000.

10 General Plant Project, U1a.03 Test Bed Facil-
11 ity Improvements, Nevada National Security Site,
12 Nevada, \$16,000,000.

13 General Plant Project, TA–15 DARHT Hydro
14 Vessel Repair Facility, Los Alamos National Lab-
15 oratory, New Mexico, \$16,500,000.

16 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
18 are hereby authorized to be appropriated to the Depart-
19 ment of Energy for fiscal year 2021 for defense environ-
20 mental cleanup activities in carrying out programs as
21 specified in the funding table in section 4701.

22 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
23 From funds referred to in subsection (a) that are available
24 for carrying out plant projects, the Secretary of Energy

1 may carry out, for defense environmental cleanup activi-
 2 ties, the following new plant project:

3 Project 21–D–401, Hoisting Capability Project,
 4 Waste Isolation Pilot Plant, Carlsbad, New Mexico,
 5 \$10,000,000.

6 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

7 Funds are hereby authorized to be appropriated to
 8 the Department of Energy for fiscal year 2021 for other
 9 defense activities in carrying out programs as specified in
 10 the funding table in section 4701.

11 **SEC. 3104. NUCLEAR ENERGY.**

12 Funds are hereby authorized to be appropriated to
 13 the Department of Energy for fiscal year 2021 for nuclear
 14 energy as specified in the funding table in section 4701.

15 **Subtitle B—Budget of the National**
 16 **Nuclear Security Administration**

17 **SEC. 3111. REVIEW OF ADEQUACY OF NUCLEAR WEAPONS**
 18 **BUDGET.**

19 (a) IN GENERAL.—Subtitle A of title XVII of the
 20 Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is
 21 amended by adding at the end the following new section:

22 **“SEC. 4717. REVIEW OF ADEQUACY OF NUCLEAR WEAPONS**
 23 **BUDGET.**

24 **“(a) REVIEW OF ADEQUACY OF ADMINISTRATION**
 25 **BUDGET BY NUCLEAR WEAPONS COUNCIL.—**

1 “(1) TRANSMISSION TO COUNCIL.—The Sec-
2 retary of Energy shall transmit to the Nuclear
3 Weapons Council (in this section referred to as the
4 ‘Council’) a copy of the proposed budget request of
5 the Administration for each fiscal year before that
6 budget request is submitted to the Director of the
7 Office of Management and Budget in relation to the
8 preparation of the budget of the President to be sub-
9 mitted to Congress under section 1105(a) of title 31,
10 United States Code.

11 “(2) REVIEW AND DETERMINATION OF ADE-
12 QUACY.—

13 “(A) REVIEW.—The Council shall review
14 each budget request transmitted to the Council
15 under paragraph (1).

16 “(B) DETERMINATION OF ADEQUACY.—

17 “(i) INADEQUATE REQUESTS.—If the
18 Council determines that a budget request
19 for a fiscal year transmitted to the Council
20 under paragraph (1) is inadequate, in
21 whole or in part, to implement the objec-
22 tives of the Department of Defense with
23 respect to nuclear weapons for that fiscal
24 year, the Council shall submit to the Sec-
25 retary of Energy a written description of

1 funding levels and specific initiatives that
2 would, in the determination of the Council,
3 make the budget request adequate to im-
4 plement those objectives.

5 “(ii) ADEQUATE REQUESTS.—If the
6 Council determines that a budget request
7 for a fiscal year transmitted to the Council
8 under paragraph (1) is adequate to imple-
9 ment the objectives described in clause (i)
10 for that fiscal year, the Council shall sub-
11 mit to the Secretary of Energy a written
12 statement confirming the adequacy of the
13 request.

14 “(iii) RECORDS.—The Council shall
15 maintain a record of each description sub-
16 mitted under clause (i) and each statement
17 submitted under clause (ii).

18 “(3) DEPARTMENT OF ENERGY RESPONSE.—

19 “(A) IN GENERAL.—If the Council submits
20 to the Secretary of Energy a written description
21 under paragraph (2)(B)(i) with respect to the
22 budget request of the Administration for a fis-
23 cal year, the Secretary shall include as an ap-
24 pendix to the budget request submitted to the

1 Director of the Office of Management and
2 Budget—

3 “(i) the funding levels and initiatives
4 identified in the description under para-
5 graph (2)(B)(i); and

6 “(ii) any additional comments the
7 Secretary considers appropriate.

8 “(B) TRANSMISSION TO CONGRESS.—The
9 Secretary of Energy shall transmit to Congress,
10 with the budget justification materials sub-
11 mitted in support of the Department of Energy
12 budget for a fiscal year (as submitted with the
13 budget of the President under section 1105(a)
14 of title 31, United States Code), a copy of the
15 appendix described in subparagraph (A).

16 “(b) REVIEW AND CERTIFICATION OF DEPARTMENT
17 OF ENERGY BUDGET BY NUCLEAR WEAPONS COUNCIL.—

18 “(1) IN GENERAL.—At the time the Secretary
19 of Energy submits the budget request of the Depart-
20 ment of Energy for that fiscal year to the Director
21 of the Office of Management and Budget in relation
22 to the preparation of the budget of the President,
23 the Secretary shall transmit a copy of the budget re-
24 quest of the Department to the Council.

25 “(2) CERTIFICATION.—The Council shall—

1 “(A) review the budget request transmitted
2 to the Council under paragraph (1);

3 “(B) based on the review under subpara-
4 graph (A), make a determination with respect
5 to whether the budget request includes the
6 funding levels and initiatives described in sub-
7 section (a)(2)(B)(i); and

8 “(C) submit to Congress—

9 “(i)(I) a certification that the budget
10 request is adequate to implement the ob-
11 jectives described in subsection
12 (a)(2)(B)(i); or

13 “(II) a statement that the budget re-
14 quest is not adequate to implement those
15 objectives; and

16 “(ii) a copy of the written description
17 submitted by the Council to the Secretary
18 under subsection (a)(2)(B)(i), if any.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 for such Act is amended by inserting after the item relat-
21 ing to section 4716 the following new item:

“Sec. 4717. Review of adequacy of nuclear weapons budget.”.

1 **Subtitle C—Personnel Matters**

2 **SEC. 3121. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
3 **TION PERSONNEL SYSTEM.**

4 (a) IN GENERAL.—Subtitle C of the National Nu-
5 clear Security Administration Act (50 U.S.C. 2441 et
6 seq.) is amended by adding at the end the following new
7 section:

8 **“SEC. 3248. ALTERNATIVE PERSONNEL SYSTEM.**

9 “(a) IN GENERAL.—The Administrator may adapt
10 the pay banding and performance-based pay adjustment
11 demonstration project carried out by the Administration
12 under the authority provided by section 4703 of title 5,
13 United States Code, into a permanent alternative per-
14 sonnel system for the Administration (to be known as the
15 ‘National Nuclear Security Administration Personnel Sys-
16 tem’) and implement that system with respect to employ-
17 ees of the Administration.

18 “(b) MODIFICATIONS.—In adapting the demonstra-
19 tion project described in subsection (a) into a permanent
20 alternative personnel system, the Administrator—

21 “(1) may, subject to paragraph (2), revise the
22 requirements and limitations of the demonstration
23 project to the extent necessary; and

24 “(2) shall—

1 “(A) ensure that the permanent alternative
2 personnel system is carried out in a manner
3 consistent with the final plan for the dem-
4 onstration project published in the Federal Reg-
5 ister on December 21, 2007 (72 Fed. Reg.
6 72776);

7 “(B) ensure that significant changes in the
8 system not take effect until revisions to the
9 plan for the demonstration project are approved
10 by the Office of Personnel Management and
11 published in the Federal Register;

12 “(C) ensure that procedural modifications
13 or clarifications to the final plan for the dem-
14 onstration project be made through local notifi-
15 cation processes;

16 “(D) authorize, and establish incentives
17 for, employees of the Administration to have ro-
18 tational assignments among different programs
19 of the Administration, the headquarters and
20 field offices of the Administration, and the
21 management and operating contractors of the
22 Administration; and

23 “(E) establish requirements for employees
24 of the Administration who are in the permanent
25 alternative personnel system described in sub-

1 section (a) to be promoted to senior-level posi-
2 tions in the Administration, including require-
3 ments with respect to—

4 “(i) professional training and con-
5 tinuing education; and

6 “(ii) a certain number and types of
7 rotational assignments under subpara-
8 graph (D), as determined by the Adminis-
9 trator.

10 “(c) APPLICATION TO NAVAL NUCLEAR PROPULSION
11 PROGRAM.—The Director of the Naval Nuclear Propul-
12 sion Program established pursuant to section 4101 of the
13 Atomic Energy Defense Act (50 U.S.C. 2511) and section
14 3216 of this Act may, with the concurrence of the Sec-
15 retary of the Navy, apply the alternative personnel system
16 under subsection (a) to—

17 “(1) all employees of the Naval Nuclear Propul-
18 sion Program in the competitive service (as defined
19 in section 2102 of title 5, United States Code); and

20 “(2) all employees of the Department of Navy
21 who are assigned to the Naval Nuclear Propulsion
22 Program and are in the excepted service (as defined
23 in section 2103 of title 5, United States Code)
24 (other than such employees in statutory excepted
25 service systems).”.

1 (b) BRIEFING.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date of the enactment of this Act, the Ad-
4 ministrator for Nuclear Security shall provide a
5 briefing to the appropriate congressional committees
6 on the implementation of section 3248 of the Na-
7 tional Nuclear Security Administration Act, as
8 added by subsection (a).

9 (2) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES DEFINED.—In this subsection, the term “ap-
11 propriate congressional committees” means—

12 (A) the congressional defense committees;

13 (B) the Committee on Energy and Natural
14 Resources of the Senate and the Committee on
15 Energy and Commerce of the House of Rep-
16 resentatives; and

17 (C) the Committee on Homeland Security
18 and Governmental Affairs of the Senate and the
19 Committee on Oversight and Government Re-
20 form of the House of Representatives.

21 (c) CONFORMING AMENDMENTS.—Section 3116 of
22 the National Defense Authorization Act for Fiscal Year
23 2018 (Public Law 115–91; 131 Stat. 1888; 50 U.S.C.
24 2441 note prec) is amended—

25 (1) by striking subsections (a) and (d); and

1 (2) by redesignating subsections (b) and (c) as
2 subsections (a) and (b), respectively.

3 (d) CLERICAL AMENDMENT.—The table of contents
4 for the National Nuclear Security Administration Act is
5 amended by inserting after the item relating to section
6 3247 the following new item:

“Sec. 3248. Alternative personnel system.”.

7 **SEC. 3122. INCLUSION OF CERTAIN EMPLOYEES AND CON-**
8 **TRACTORS OF DEPARTMENT OF ENERGY IN**
9 **DEFINITION OF PUBLIC SAFETY OFFICER**
10 **FOR PURPOSES OF CERTAIN DEATH BENE-**
11 **FITS.**

12 Section 1204(9) of title I of the Omnibus Crime Con-
13 trol and Safe Streets Act of 1968 (34 U.S.C. 10284(9))
14 is amended—

15 (1) in subparagraph (D), by striking “or” at
16 the end;

17 (2) in subparagraph (E)(ii), by striking the pe-
18 riod at the end and inserting “; or”; and

19 (3) by adding at the end the following:

20 “(F) an employee or contractor of the De-
21 partment of Energy who—

22 “(i) is—

23 “(I) a nuclear materials courier
24 (as defined in section 8331(27) of
25 title 5, United States Code); or

1 “(II) designated by the Secretary
2 of Energy as a member of an emer-
3 gency response team; and

4 “(ii) is performing official duties of
5 the Department, pursuant to a deployment
6 order issued by the Secretary, to protect
7 the public, property, or the interests of the
8 United States by—

9 “(I) assessing, locating, identi-
10 fying, securing, rendering safe, or dis-
11 posing of weapons of mass destruction
12 (as defined in section 1403 of the De-
13 fense Against Weapons of Mass De-
14 struction Act of 1996 (50 U.S.C.
15 2302)); or

16 “(II) managing the immediate
17 consequences of a radiological release
18 or exposure.”.

19 **SEC. 3123. REIMBURSEMENT FOR LIABILITY INSURANCE**
20 **FOR NUCLEAR MATERIALS COURIERS.**

21 Section 636(c)(2) of division A of the Treasury, Post-
22 al Service, and General Government Appropriations Act,
23 1997 (Public Law 104–208; 5 U.S.C. prec. 5941 note)
24 is amended by striking “or under” and all that follows
25 and inserting the following: “a special agent under section

1 203 of the Omnibus Diplomatic Security and
2 Antiterrorism Act of 1986 (22 U.S.C. 4823), or a nuclear
3 materials courier (as defined in section 8331(27) of such
4 title 5);”.

5 **SEC. 3124. TRANSPORTATION AND MOVING EXPENSES FOR**
6 **IMMEDIATE FAMILY OF DECEASED NUCLEAR**
7 **MATERIALS COURIERS.**

8 Section 5724d(c)(1) of title 5, United States Code,
9 is amended—

10 (1) in subparagraph (B), by striking “; and”
11 and inserting a semicolon; and

12 (2) by adding at the end the following:

13 “(D) any nuclear materials courier, as de-
14 fined in section 8331(27); and”.

15 **SEC. 3125. EXTENSION OF AUTHORITY FOR APPOINTMENT**
16 **OF CERTAIN SCIENTIFIC, ENGINEERING, AND**
17 **TECHNICAL PERSONNEL.**

18 Section 4601(c) of the Atomic Energy Defense Act
19 (50 U.S.C. 2701(c)) is amended by striking “September
20 30, 2020” and inserting “September 30, 2021”.

1 **Subtitle D—Cybersecurity**

2 **SEC. 3131. REPORTING ON PENETRATIONS OF NETWORKS** 3 **OF CONTRACTORS AND SUBCONTRACTORS.**

4 (a) IN GENERAL.—Subtitle A of title XLV of the
5 Atomic Energy Defense Act (50 U.S.C. 2651 et seq.) is
6 amended by adding at the end the following new section:

7 **“SEC. 4511. REPORTING ON PENETRATIONS OF NETWORKS** 8 **OF CONTRACTORS AND SUBCONTRACTORS.**

9 “(a) PROCEDURES FOR REPORTING PENETRA-
10 TIONS.—The Administrator shall establish procedures
11 that require each contractor and subcontractor to report
12 to the Chief Information Officer when a covered network
13 of the contractor or subcontractor that meets the criteria
14 established pursuant to subsection (b) is successfully pene-
15 trated.

16 “(b) ESTABLISHMENT OF CRITERIA FOR COVERED
17 NETWORKS.—

18 “(1) IN GENERAL.—The Administrator shall, in
19 consultation with the officials specified in paragraph
20 (2), establish criteria for covered networks to be sub-
21 ject to the procedures for reporting penetrations
22 under subsection (a).

23 “(2) OFFICIALS SPECIFIED.—The officials spec-
24 ified in this paragraph are the following officials of
25 the Administration:

1 “(A) The Deputy Administrator for De-
2 fense Programs.

3 “(B) The Associate Administrator for Ac-
4 quisition and Project Management.

5 “(C) The Chief Information Officer.

6 “(D) Any other official of the Administra-
7 tion the Administrator considers necessary.

8 “(c) PROCEDURE REQUIREMENTS.—

9 “(1) RAPID REPORTING.—

10 “(A) IN GENERAL.—The procedures estab-
11 lished pursuant to subsection (a) shall require
12 each contractor or subcontractor to submit to
13 the Chief Information Officer a report on each
14 successful penetration of a covered network of
15 the contractor or subcontractor that meets the
16 criteria established pursuant to subsection (b)
17 not later than 60 days after the discovery of the
18 successful penetration.

19 “(B) ELEMENTS.—Subject to subpara-
20 graph (C), each report required by subpara-
21 graph (A) with respect to a successful penetra-
22 tion of a covered network of a contractor or
23 subcontractor shall include the following:

24 “(i) A description of the technique or
25 method used in such penetration.

1 “(ii) A sample of the malicious soft-
2 ware, if discovered and isolated by the con-
3 tractor or subcontractor, involved in such
4 penetration.

5 “(iii) A summary of information cre-
6 ated by or for the Administration in con-
7 nection with any program of the Adminis-
8 tration that has been potentially com-
9 promised as a result of such penetration.

10 “(C) AVOIDANCE OF DELAYS IN REPORT-
11 ING.—If a contractor or subcontractor is not
12 able to obtain all of the information required by
13 subparagraph (B) to be included in a report re-
14 quired by subparagraph (A) by the date that is
15 60 days after the discovery of a successful pene-
16 tration of a covered network of the contractor
17 or subcontractor, the contractor or subcon-
18 tractor shall—

19 “(i) include in the report all informa-
20 tion available as of that date; and

21 “(ii) provide to the Chief Information
22 Officer the additional information required
23 by subparagraph (B) as the information
24 becomes available.

1 “(2) ACCESS TO EQUIPMENT AND INFORMATION
2 BY ADMINISTRATION PERSONNEL.—Concurrent with
3 the establishment of the procedures pursuant to sub-
4 section (a), the Administrator shall establish proce-
5 dures to be used if information owned by the Admin-
6 istration was in use during or at risk as a result of
7 the successful penetration of a covered network—

8 “(A) in order to—

9 “(i) in the case of a penetration of a
10 covered network of a management and op-
11 erating contractor, enhance the access of
12 personnel of the Administration to Govern-
13 ment-owned equipment and information;
14 and

15 “(ii) in the case of a penetration of a
16 covered network of a contractor or subcon-
17 tractor that is not a management and op-
18 erating contractor, facilitate the access of
19 personnel of the Administration to the
20 equipment and information of the con-
21 tractor or subcontractor; and

22 “(B) which shall—

23 “(i) include mechanisms for personnel
24 of the Administration to, upon request, ob-
25 tain access to equipment or information of

1 a contractor or subcontractor necessary to
2 conduct forensic analysis in addition to any
3 analysis conducted by the contractor or
4 subcontractor;

5 “(ii) provide that a contractor or sub-
6 contractor is only required to provide ac-
7 cess to equipment or information as de-
8 scribed in clause (i) to determine whether
9 information created by or for the Adminis-
10 tration in connection with any program of
11 the Administration was successfully
12 exfiltrated from a network of the con-
13 tractor or subcontractor and, if so, what
14 information was exfiltrated; and

15 “(iii) provide for the reasonable pro-
16 tection of trade secrets, commercial or fi-
17 nancial information, and information that
18 can be used to identify a specific person.

19 “(3) DISSEMINATION OF INFORMATION.—The
20 procedures established pursuant to subsection (a)
21 shall allow for limiting the dissemination of informa-
22 tion obtained or derived through such procedures so
23 that such information may be disseminated only to
24 entities—

1 “(A) with missions that may be affected by
2 such information;

3 “(B) that may be called upon to assist in
4 the diagnosis, detection, or mitigation of cyber
5 incidents;

6 “(C) that conduct counterintelligence or
7 law enforcement investigations; or

8 “(D) for national security purposes, includ-
9 ing cyber situational awareness and defense
10 purposes.

11 “(d) DEFINITIONS.—In this section:

12 “(1) CHIEF INFORMATION OFFICER.—The term
13 ‘Chief Information Officer’ means the Associate Ad-
14 ministrator for Information Management and Chief
15 Information Officer of the Administration.

16 “(2) CONTRACTOR.—The term ‘contractor’
17 means a private entity that has entered into a con-
18 tract or contractual action of any kind with the Ad-
19 ministration to furnish supplies, equipment, mate-
20 rials, or services of any kind.

21 “(3) COVERED NETWORK.—The term ‘covered
22 network’ includes any network or information system
23 that accesses, receives, or stores—

24 “(A) classified information; or

1 “(B) sensitive unclassified information ger-
 2 mane to any program of the Administration, as
 3 determined by the Administrator.

4 “(4) SUBCONTRACTOR.—The term ‘subcon-
 5 tractor’ means a private entity that has entered into
 6 a contract or contractual action with a contractor or
 7 another subcontractor to furnish supplies, equip-
 8 ment, materials, or services of any kind in connec-
 9 tion with another contract in support of any pro-
 10 gram of the Administration.”.

11 (b) CLERICAL AMENDMENT.—The table of contents
 12 for the Atomic Energy Defense Act is amended by insert-
 13 ing after the item relating to section 4510 the following
 14 new item:

 “Sec. 4511. Reporting on penetrations of networks of contractors and sub-
 contractors.”.

15 **SEC. 3132. CLARIFICATION OF RESPONSIBILITY FOR CY-**
 16 **BERSECURITY OF NATIONAL NUCLEAR SECU-**
 17 **RITY ADMINISTRATION FACILITIES.**

18 (a) ESTABLISHMENT OF CHIEF INFORMATION OFFI-
 19 CER.—Subtitle B of the National Nuclear Security Admin-
 20 istration Act (50 U.S.C. 2421 et seq.) is amended by add-
 21 ing at the end the following new section:

22 **“SEC. 3237. CHIEF INFORMATION OFFICER.**

23 “‘There is within the Administration a Chief Informa-
 24 tion Officer, who shall be—

1 “(1) appointed by the Administrator; and

2 “(2) responsible for the development and imple-
3 mentation of cybersecurity for all facilities of the
4 Administration.”.

5 (b) CONFORMING AMENDMENT.—Section 3232(b)(3)
6 of the National Nuclear Security Administration Act (50
7 U.S.C. 2422(b)(3)) is amended by striking “and cyber”.

8 (c) CLERICAL AMENDMENT.—The table of contents
9 for the National Nuclear Security Administration Act is
10 amended by inserting after the item relating to section
11 3236 the following new item:

“Sec. 3237. Chief Information Officer.”.

12 **Subtitle E—Defense Environmental**
13 **Cleanup**

14 **SEC. 3141. PUBLIC STATEMENT OF ENVIRONMENTAL LI-**
15 **ABILITIES FOR FACILITIES UNDERGOING DE-**
16 **FENSE ENVIRONMENTAL CLEANUP.**

17 (a) IN GENERAL.—Subtitle A of title XLIV of the
18 Atomic Energy Defense Act (50 U.S.C. 2581 et seq.) is
19 amended by adding at the end the following new section:

20 **“SEC. 4410. PUBLIC STATEMENT OF ENVIRONMENTAL LI-**
21 **ABILITIES.**

22 “Each year, at the same time that the Department
23 of Energy submits its annual financial report under sec-
24 tion 3516 of title 31, United States Code, the Secretary
25 of Energy shall make available to the public a statement

1 of environmental liabilities, as calculated for the most re-
2 cent audited financial statement of the Department under
3 section 3515 of that title, for each defense nuclear facility
4 at which defense environmental cleanup activities are oc-
5 ccurring.”.

6 (b) CLERICAL AMENDMENT.—The table of contents
7 for the Atomic Energy Defense Act is amended by insert-
8 ing after the item relating to section 4409 the following
9 new item:

“Sec. 4410. Public statement of environmental liabilities.”.

10 **SEC. 3142. INCLUSION OF MISSED MILESTONES IN FUTURE-**
11 **YEARS DEFENSE ENVIRONMENTAL CLEANUP**
12 **PLAN.**

13 Section 4402A(b)(3) of the Atomic Energy Defense
14 Act (50 U.S.C. 2582A(b)(3)) is amended by adding at the
15 end the following:

16 “(D) For any milestone that has been
17 missed, renegotiated, or postponed, a statement
18 of the current milestone, the original milestone,
19 and any interim milestones.”.

20 **SEC. 3143. CLASSIFICATION OF DEFENSE ENVIRONMENTAL**
21 **CLEANUP AS CAPITAL ASSET PROJECTS OR**
22 **OPERATIONS ACTIVITIES.**

23 (a) IN GENERAL.—The Assistant Secretary of En-
24 ergy for Environmental Management, in consultation with
25 other appropriate officials of the Department of Energy,

1 shall establish requirements for the classification of de-
2 fense environmental cleanup projects as capital asset
3 projects or operations activities.

4 (b) REPORT REQUIRED.—Not later than March 1,
5 2021, the Assistant Secretary shall submit to the congres-
6 sional defense committees a report—

7 (1) setting forth the requirements established
8 under subsection (a); and

9 (2) assessing whether any ongoing defense envi-
10 ronmental cleanup projects should be reclassified
11 based on those requirements.

12 **SEC. 3144. CONTINUED ANALYSIS OF APPROACHES FOR**
13 **SUPPLEMENTAL TREATMENT OF LOW-ACTIV-**
14 **ITY WASTE AT HANFORD NUCLEAR RESERVA-**
15 **TION.**

16 (a) IN GENERAL.—Not later than 120 days after the
17 date of the enactment of this Act, the Secretary of Energy
18 shall enter into an arrangement with a federally funded
19 research and development center to conduct a follow-on
20 analysis to the analysis required by section 3134 of the
21 National Defense Authorization Act for Fiscal Year 2017
22 (Public Law 114–328; 130 Stat. 2769) with respect to ap-
23 proaches for treating the portion of low-activity waste at
24 the Hanford Nuclear Reservation, Richland, Washington,
25 intended for supplemental treatment.

1 (b) COMPARISON OF ALTERNATIVES TO AID DECI-
2 SIONMAKING.—The analysis required by subsection (a)
3 shall be designed, to the greatest extent possible, to pro-
4 vide decisionmakers with the ability to make a direct com-
5 parison between approaches for the supplemental treat-
6 ment of low-activity waste at the Hanford Nuclear Res-
7 ervation based on criteria that are relevant to decision-
8 making and most clearly differentiate between approaches.

9 (c) ELEMENTS.—The analysis required by subsection
10 (a) shall include an assessment of the following:

11 (1) The most effective potential technology for
12 supplemental treatment of low-activity waste that
13 will produce an effective waste form, including an
14 assessment of the following:

15 (A) The maturity and complexity of the
16 technology.

17 (B) The extent of previous use of the tech-
18 nology.

19 (C) The life cycle costs and duration of use
20 of the technology.

21 (D) The effectiveness of the technology
22 with respect to immobilization.

23 (E) The performance of the technology ex-
24 pected under permanent disposal.

1 (2) The differences among approaches for the
2 supplemental treatment of low-activity waste consid-
3 ered as of the date of the analysis.

4 (3) The compliance of such approaches with the
5 technical standards described in section
6 3134(b)(2)(D) of section 3134 of the National De-
7 fense Authorization Act for Fiscal Year 2017.

8 (4) The differences among potential disposal
9 sites for the waste form produced through such
10 treatment, including mitigation of radionuclides, in-
11 cluding technetium-99, selenium-79, and iodine-129,
12 on a system level.

13 (5) Potential modifications to the design of fa-
14 cilities to enhance performance with respect to dis-
15 posal of the waste form to account for the following:

16 (A) Regulatory compliance.

17 (B) Public acceptance.

18 (C) Cost.

19 (D) Safety.

20 (E) The expected radiation dose to maxi-
21 mally exposed individuals over time.

22 (F) Differences among disposal environ-
23 ments.

24 (6) Approximately how much and what type of
25 pretreatment is needed to meet regulatory require-

1 ments regarding long-lived radionuclides and haz-
2 ardous chemicals to reduce disposal costs for radio-
3 nuclides described in paragraph (4).

4 (7) Whether the radionuclides can be left in the
5 waste form or economically removed and bounded at
6 a system level by the performance assessment of a
7 potential disposal site and, if the radionuclides can-
8 not be left in the waste form, how to account for the
9 secondary waste stream.

10 (8) Other relevant factors relating to the tech-
11 nology described in paragraph (1), including the fol-
12 lowing:

13 (A) The costs and risks in delays with re-
14 spect to tank performance over time.

15 (B) Consideration of experience with treat-
16 ment methods at other sites and commercial fa-
17 cilities.

18 (C) Outcomes of the test bed initiative of
19 the Office of Environmental Management at the
20 Hanford Nuclear Reservation.

21 (d) REVIEW, CONSULTATION, SUBMISSION, AND LIM-
22 ITATIONS.—The provision of subsections (c) through (f)
23 of section 3134 of the National Defense Authorization Act
24 for Fiscal Year 2017 shall apply with respect to the anal-
25 ysis required by subsection (a) to the same extent and in

1 the same manner that such provisions applied with respect
2 to the analysis required by subsection (a) of such section
3 3134, except that subsection (e) of such section shall be
4 applied and administered by substituting “the date of the
5 enactment of the National Defense Authorization Act for
6 Fiscal Year 2021” for “the date of the enactment of this
7 Act” each place it appears.

8 **Subtitle F—Other Matters**

9 **SEC. 3151. MODIFICATIONS TO ENHANCED PROCUREMENT**

10 **AUTHORITY TO MANAGE SUPPLY CHAIN**

11 **RISK.**

12 Section 4806 of the Atomic Energy Defense Act (50
13 U.S.C. 2786) is amended—

14 (1) in subsections (a) and (c), by inserting “or
15 special exclusion action” after “covered procurement
16 action” each place it appears;

17 (2) by redesignating subsections (e) and (f) as
18 subsections (f) and (g), respectively;

19 (3) by inserting after subsection (d) the fol-
20 lowing new subsection (e):

21 “(e) DELEGATION OF AUTHORITY.—The Secretary
22 may delegate the authority under this section to—

23 “(1) in the case of the Administration, the Ad-
24 ministrator; and

1 “(2) in the case of any other component of the
2 Department of Energy, the Senior Procurement Ex-
3 ecutive of the Department.”; and

4 (4) in subsection (f), as redesignated by para-
5 graph (2)—

6 (A) by redesignating paragraph (6) as
7 paragraph (7); and

8 (B) by inserting after paragraph (5) the
9 following new paragraph (6):

10 “(6) SPECIAL EXCLUSION ACTION.—The term
11 ‘special exclusion action’ means an action to pro-
12 hibit, for a period not to exceed two years, the
13 award of any contracts or subcontracts by the Ad-
14 ministration or any other component of the Depart-
15 ment of Energy related to any covered system to a
16 source the Secretary determines to represent a sup-
17 ply chain risk.”.

18 **SEC. 3152. PROHIBITION ON USE OF LABORATORY- OR PRO-**
19 **DUCTION FACILITY-DIRECTED RESEARCH**
20 **AND DEVELOPMENT FUNDS FOR GENERAL**
21 **AND ADMINISTRATIVE OVERHEAD COSTS.**

22 Section 4811 of the Atomic Energy Defense Act (50
23 U.S.C. 2791), as amended by section 3152, is further
24 amended—

1 (1) by redesignating subsection (d) as sub-
2 section (e); and

3 (2) by inserting after subsection (c) the fol-
4 lowing new subsection (d):

5 “(d) PROHIBITION ON USE OF FUNDS FOR OVER-
6 HEAD.—Funds provided to a national security laboratory
7 or nuclear weapons production facility for laboratory- or
8 production facility-directed research and development may
9 not be used to cover the costs of general and administra-
10 tive overhead for the laboratory or facility.”.

11 **SEC. 3153. MONITORING OF INDUSTRIAL BASE FOR NU-**
12 **CLEAR WEAPONS COMPONENTS, SUB-**
13 **SYSTEMS, AND MATERIALS.**

14 (a) DESIGNATION OF OFFICIAL.—Not later than
15 March 1, 2021, the Administrator for Nuclear Security
16 shall designate a senior official within the National Nu-
17 clear Security Administration to be responsible for moni-
18 toring the industrial base that supports the nuclear weap-
19 ons components, subsystems, and materials of the Admin-
20 istration, including—

21 (1) the consistent monitoring of the current sta-
22 tus of the industrial base;

23 (2) tracking of industrial base issues over time;
24 and

1 (3) proactively identifying gaps or risks in spe-
2 cific areas relating to the industrial base.

3 (b) PROVISION OF RESOURCES.—The Administrator
4 shall ensure that the official designated under subsection
5 (a) is provided with resources sufficient to conduct the
6 monitoring required by that subsection.

7 (c) CONSULTATIONS.—The Administrator, acting
8 through the official designated under subsection (a), shall,
9 to the extent practicable and beneficial, in conducting the
10 monitoring required by that subsection, consult with—

11 (1) officials of the Department of Defense who
12 are members of the Nuclear Weapons Council estab-
13 lished under section 179 of title 10, United States
14 Code;

15 (2) officials of the Department of Defense re-
16 sponsible for the defense industrial base; and

17 (3) other components of the Department of En-
18 ergy that rely on similar components, subsystems, or
19 materials.

20 (d) BRIEFINGS.—

21 (1) INITIAL BRIEFING.—Not later than April 1,
22 2021, the Administrator shall provide to the Com-
23 mittees on Armed Services of the Senate and the
24 House of Representatives a briefing on the designa-

1 tion of the official required by subsection (a), includ-
2 ing on—

3 (A) the responsibilities assigned to that of-
4 ficial; and

5 (B) the plan for providing that official with
6 resources sufficient to conduct the monitoring
7 required by subsection (a).

8 (2) **SUBSEQUENT BRIEFINGS.**—Not later than
9 April 1, 2022, and annually thereafter through
10 2024, the Administrator shall provide to the Com-
11 mittees on Armed Services of the Senate and the
12 House of Representatives a briefing on activities car-
13 ried out under this section that includes an assess-
14 ment of the progress made by the official designated
15 under subsection (a) in conducting the monitoring
16 required by that subsection.

17 **SEC. 3154. PROHIBITION ON USE OF FUNDS FOR ADVANCED**
18 **NAVAL NUCLEAR FUEL SYSTEM BASED ON**
19 **LOW-ENRICHED URANIUM.**

20 (a) **IN GENERAL.**—None of the funds authorized to
21 be appropriated for the National Nuclear Security Admin-
22 istration for fiscal year 2021 may be obligated or expended
23 to conduct research and development of an advanced naval
24 nuclear fuel system based on low-enriched uranium until

1 the following certifications are submitted to the congres-
2 sional defense committees:

3 (1) A joint certification of the Secretary of En-
4 ergy and the Secretary of Defense that the deter-
5 mination made by the Secretary of Energy and the
6 Secretary of the Navy pursuant to section
7 3118(c)(1) of the National Defense Authorization
8 Act for Fiscal Year 2016 (Public Law 114–92; 129
9 Stat. 1196) and submitted to the congressional de-
10 fense committees on March 25, 2018, that the
11 United States should not pursue such research and
12 development, no longer reflects the policy of the
13 United States.

14 (2) A certification of the Secretary of the Navy
15 that an advanced naval nuclear fuel system based on
16 low-enriched uranium would not reduce vessel capa-
17 bility, increase expense, or reduce operational avail-
18 ability as a result of refueling requirements.

19 (b) **REPORT REQUIRED.**—Not later than 60 days
20 after the date of the enactment of this Act, the Adminis-
21 trator for Nuclear Security shall submit to the congres-
22 sional defense committees a report on activities conducted
23 using amounts made available for fiscal year 2020 for non-
24 proliferation fuels development, including a description of

1 progress made toward technological or nonproliferation
2 goals.

3 **SEC. 3155. AUTHORIZATION OF APPROPRIATIONS FOR W93**
4 **NUCLEAR WARHEAD PROGRAM.**

5 In accordance with section 4209(a)(1)(B) of the
6 Atomic Energy Defense Act (50 U.S.C. 2529(a)(1)(B)),
7 funds are hereby authorized to be appropriated to the De-
8 partment of Energy for fiscal year 2021 for the W93 nu-
9 clear warhead program as specified in the funding table
10 in section 4701.

11 **SEC. 3156. REVIEW OF FUTURE OF COMPUTING BEYOND**
12 **EXASCALE AT THE NATIONAL NUCLEAR SE-**
13 **CURITY ADMINISTRATION.**

14 (a) IN GENERAL.—The Administrator for Nuclear
15 Security, in consultation with the Secretary of Energy,
16 shall enter into an agreement with the National Academy
17 of Science to review the future of computing beyond
18 exascale computing to meet national security needs at the
19 National Nuclear Security Administration.

20 (b) ELEMENTS.—The review required by subsection
21 (a) shall address the following:

22 (1) Future computing needs of the National
23 Nuclear Security Administration that exascale com-
24 puting will not accomplish during the 20 years after
25 the date of the enactment of this Act.

1 (2) Computing architectures that potentially
2 can meet those needs, including—

3 (A) classical computing architectures em-
4 ployed as of such date of enactment;

5 (B) quantum computing architectures and
6 other novel computing architectures;

7 (C) hybrid combinations of classical and
8 quantum computing architectures; and

9 (D) other architectures as necessary.

10 (3) The development of software for the com-
11 puting architectures described in paragraph (2).

12 (4) The maturity of the computing architec-
13 tures described in paragraph (2) and the software
14 described in paragraph (3), with key obstacles that
15 must be overcome for the employment of such archi-
16 tectures and software.

17 (5) The secure industrial base that exists as of
18 the date of the enactment of this Act to meet the
19 unique needs of computing at the National Nuclear
20 Security Administration, including needs with re-
21 spect to—

22 (A) personnel;

23 (B) microelectronics; and

24 (C) other appropriate matters.

1 (c) INFORMATION AND CLEARANCES.—The Adminis-
2 trator shall ensure that personnel of the National Acad-
3 emy of Sciences overseeing the implementation of the
4 agreement required by subsection (a) or conducting the
5 review required by that subsection receive, in a timely
6 manner, access to information and necessary security
7 clearances to enable the conduct of the review.

8 (d) REPORT REQUIRED.—

9 (1) IN GENERAL.—Not later than 2 years after
10 the date of the enactment of this Act, the National
11 Academy of Sciences shall submit to the congress-
12 sional defense committees a report on the findings of
13 the review required by subsection (a).

14 (2) FORM.—The report required by paragraph
15 (1) shall be submitted in unclassified form but may
16 include a classified annex.

17 (e) EXASCALE COMPUTING DEFINED.—In this sec-
18 tion, the term “exascale computing” means computing
19 through the use of a computing machine that performs
20 near or above 10 to the 18th power floating point oper-
21 ations per second.

1 **SEC. 3157. APPLICATION OF REQUIREMENT FOR INDE-**
 2 **PENDENT COST ESTIMATES AND REVIEWS TO**
 3 **NEW NUCLEAR WEAPON SYSTEMS.**

4 Section 4217(b)(1) of the Atomic Energy Defense
 5 Act (50 U.S.C. 2537(b)(1)) is amended—

6 (1) in subparagraph (A)—

7 (A) in clause (i), by inserting “, and each
 8 new nuclear weapon system at the completion of
 9 phase 2A” after “phase 6.2A”;

10 (B) in clause (ii), by inserting “, and each
 11 new nuclear weapon system at the completion of
 12 phase 3” after “phase 6.3”; and

13 (C) in clause (iii)—

14 (i) by inserting “, and each new nu-
 15 clear weapon system at the completion of
 16 phase 4” after “phase 6.4”; and

17 (ii) by inserting “or 5, as applicable”
 18 after “phase 6.5”; and

19 (2) in subparagraph (B), by inserting “, and
 20 each new nuclear weapon system at the completion
 21 of phase 2” after “phase 6.2”.

22 **SEC. 3158. EXTENSION AND EXPANSION OF LIMITATIONS**
 23 **ON IMPORTATION OF URANIUM FROM RUS-**
 24 **SIAN FEDERATION.**

25 (a) IN GENERAL.—Section 3112A of the USEC Pri-
 26 vatization Act (42 U.S.C. 2297h–10a) is amended—

1 (1) in subsection (a)—

2 (A) by redesignating paragraph (7) as
3 paragraph (8); and

4 (B) by inserting after paragraph (6) the
5 following:

6 “(7) SUSPENSION AGREEMENT.—The term
7 ‘Suspension Agreement’ has the meaning given that
8 term in section 3102(13).”;

9 (2) in subsection (b)—

10 (A) by striking “United States to support”
11 and inserting the following: “United States—
12 “(1) to support”;

13 (B) by striking the period at the end and
14 inserting a semicolon; and

15 (C) by adding at the end the following:

16 “(2) that reliance on uranium imports raises
17 significant national security concerns;

18 “(3) to revive and strengthen the supply chain
19 for nuclear fuel produced and used in the United
20 States; and

21 “(4) to expand production of nuclear fuel in the
22 United States.”; and

23 (3) in subsection (c)—

24 (A) in paragraph (2)—

- 1 (i) in the matter preceding subpara-
2 graph (A), by striking “After” and insert-
3 ing “Except as provided in subparagraph
4 (B), after”;
- 5 (ii) in subparagraph (A)—
- 6 (I) in clause (vi), by striking “;
7 and” and inserting a semicolon;
- 8 (II) in clause (vii), by striking
9 the period at the end and inserting a
10 semicolon; and
- 11 (III) by adding at the end the
12 following:
- 13 “(viii) in calendar year 2021, 422,038
14 kilograms;
- 15 “(ix) in calendar year 2022, 415,573
16 kilograms;
- 17 “(x) in calendar year 2023, 409,445
18 kilograms;
- 19 “(xi) in calendar year 2024, 404,469
20 kilograms;
- 21 “(xii) in calendar year 2025, 399,241
22 kilograms;
- 23 “(xiii) in calendar year 2026, 393,985
24 kilograms;

1 “(xiv) in calendar year 2027, 389,656

2 kilograms;

3 “(xv) in calendar year 2028, 389,656

4 kilograms;

5 “(xvi) in calendar year 2029, 384,905

6 kilograms;

7 “(xvii) in calendar year 2030,

8 375,882 kilograms;

9 “(xviii) in calendar year 2031,

10 372,171 kilograms;

11 “(xix) in calendar year 2032, 364,694

12 kilograms;

13 “(xx) in calendar year 2033, 359,353

14 kilograms;

15 “(xxi) in calendar year 2034, 337,344

16 kilograms; and

17 “(xxii) in calendar year 2035,

18 333,296 kilograms.”;

19 (iii) by redesignating subparagraph

20 (B) as subparagraph (D); and

21 (iv) by inserting after subparagraph

22 (A) the following:

23 “(B) HARMONIZATION WITH SUSPENSION

24 AGREEMENT.—

1 “(i) IN GENERAL.—If, not later than
2 December 31, 2020, the Department of
3 Commerce and the Russian Federation fi-
4 nalize an amendment to the Suspension
5 Agreement to extend the Agreement, the
6 import limitations under subparagraph (A)
7 for a calendar year shall be superceded by
8 any export limitations, including the asso-
9 ciated calculation parameters, agreed to by
10 the Department of Commerce as part of
11 that amendment.

12 “(ii) TERMINATION OF SUSPENSION
13 AGREEMENT.—If the Suspension Agree-
14 ment terminates or expires, the import lim-
15 itations specified in subparagraph (A)
16 shall—

17 “(I) take effect on the date on
18 which the Suspension Agreement ter-
19 minates or expires; and

20 “(II) apply in addition to any
21 antidumping duties imposed pursuant
22 to title VII of the Tariff Act of 1930
23 (19 U.S.C. 1671 et seq.) with respect
24 to low-enriched uranium produced in
25 the Russian Federation.

1 “(C) SEPARATIVE WORK UNITS REQUIRE-
2 MENT.—Not more than 25 percent of the quan-
3 tity of low-enriched uranium produced in the
4 Russian Federation and imported under sub-
5 paragraph (A) in any year may be imported
6 under contracts other than contracts exclusively
7 for separative work units.”;

8 (B) in paragraph (3), by striking “United
9 States—” and all that follows and inserting the
10 following: “United States for processing and to
11 be certified for reexportation and not for con-
12 sumption in the United States.”;

13 (C) in paragraph (5)—

14 (i) in subparagraph (A)—

15 (I) by striking “reference data”
16 and all that follows through “2019”
17 and inserting the following: “lower
18 scenario data in the document of the
19 World Nuclear Association entitled
20 ‘Nuclear Fuel Report: Global Sce-
21 narios for Demand and Supply Avail-
22 ability 2019–2040’. In each of cal-
23 endar years 2023, 2027, and 2031”;
24 and

1 (II) by striking “report or a sub-
2 sequent report” and inserting “docu-
3 ment”;

4 (ii) by redesignating subparagraphs
5 (B) and (C) as subparagraphs (C) and (D),
6 respectively;

7 (iii) by inserting after subparagraph
8 (A) the following:

9 “(B) REPORT REQUIRED.—Not later than
10 one year after the date of the enactment of the
11 National Defense Authorization Act for Fiscal
12 Year 2021, and every 3 years thereafter, the
13 Secretary shall submit to Congress a report
14 that includes—

15 “(i) a recommendation on the use of
16 all publicly available data to ensure accu-
17 rate forecasting by scenario data to com-
18 port to actual demand for low-enriched
19 uranium for nuclear reactors in the United
20 States; and

21 “(ii) an identification of the steps to
22 be taken to adjust the import limitations
23 described in paragraph (2)(A) based on the
24 most accurate scenario data.”; and

1 (iv) in subparagraph (D), as redesignated by clause (ii), by striking “subparagraph (B)” and inserting “subparagraph (D)”;

2
3
4
5 (D) in paragraph (6), in the matter preceding subparagraph (A), by striking “the adjustment under paragraph (5)(A)” and inserting “any adjustment under paragraph (2)(B) or (5)(A)”;

6
7
8
9
10 (E) in paragraph (7)(A), by striking “0.3 percent” and inserting “0.22 percent”;

11
12 (F) in paragraph (9), by striking “2020” and inserting “2035”;

13
14 (G) by striking “(2)(B)” each place it appears and inserting “(2)(D)”;

15
16 (H) in paragraph (12)(B), by inserting “or the Suspension Agreement” after “the Russian HEU Agreement”.

17
18
19 (b) APPLICABILITY.—The amendments made by subsection (a) apply with respect to uranium imported from
20 the Russian Federation on or after January 1, 2021.

21
22 **SEC. 3159. INTEGRATION OF STOCKPILE STEWARDSHIP**
23 **AND NONPROLIFERATION MISSIONS.**

24 (a) SENSE OF SENATE.—It is the sense of the Senate
25 that, in recognition of the close relationships between the

1 nuclear weapons expertise and infrastructure of the na-
2 tional security laboratories (as defined in section 4002 of
3 the Atomic Energy Defense Act (50 U.S.C. 2501)), those
4 laboratories should continue to apply their capabilities to
5 assessing, understanding, and countering current and
6 emerging nuclear threats, including the nuclear capabili-
7 ties of adversaries of the United States.

8 (b) INTEGRATION.—The Secretary of Energy shall
9 ensure that the capabilities of the stockpile stewardship
10 program under section 4201 of the Atomic Energy De-
11 fense Act (50 U.S.C. 2521) are available to assess pro-
12 liferation challenges, nuclear capabilities of adversaries of
13 the United States, and related safeguards.

14 **SEC. 3160. TECHNOLOGY DEVELOPMENT AND INTEGRA-**
15 **TION PROGRAM.**

16 The Administrator for Nuclear Security shall estab-
17 lish a technology development and integration program to
18 improve the safety and security of the nuclear weapons
19 stockpile, and to prevent proliferation, through research
20 and development, engineering, and integration of tech-
21 nologies applicable to multiple weapons systems in the
22 stockpile.

1 **SEC. 3161. ADVANCED MANUFACTURING DEVELOPMENT**
2 **PROGRAM.**

3 The Administrator for Nuclear Security shall estab-
4 lish an advanced manufacturing development program to
5 focus on the development, demonstration, and deployment
6 of next-generation processes and manufacturing tools to
7 ensure that the nuclear weapons stockpile is safe and se-
8 cure.

9 **SEC. 3162. MATERIALS SCIENCE PROGRAM.**

10 The Administrator for Nuclear Security shall estab-
11 lish a materials science program to develop new materials
12 to replace materials that are no longer available for weap-
13 ons sustainment.

14 **SEC. 3163. MODIFICATIONS TO INERTIAL CONFINEMENT**
15 **FUSION IGNITION AND HIGH YIELD PRO-**
16 **GRAM.**

17 (a) IN GENERAL.—The Inertial Confinement Fusion
18 Ignition and High Yield Program of the National Nuclear
19 Security Administration (in this section referred to as the
20 “Program”) shall provide the scientific understanding and
21 experimental capabilities required to validate the safety
22 and effectiveness of the nuclear weapons stockpile.

23 (b) RECOMMENDATIONS RELATING TO HIGH EN-
24 ERGY DENSITY PHYSICS.—

25 (1) ESTABLISHMENT OF WORKING GROUP.—

26 The Administrator for Nuclear Security shall estab-

1 lish a working group to identify and implement any
2 recommendations issued by the National Academies
3 of Sciences, Engineering, and Medicine as required
4 by section 3137 of the National Defense Authoriza-
5 tion Act for Fiscal Year 2020 (Public Law 116–92).

6 (2) REPORT REQUIRED.—Not later than March
7 31, 2021, the Administrator shall submit to the con-
8 gressional defense committees a report on the
9 timelines for completing implementation of the rec-
10 ommendations described in paragraph (1).

11 **SEC. 3164. EARNED VALUE MANAGEMENT PROGRAM FOR**
12 **LIFE EXTENSION PROGRAMS.**

13 (a) IN GENERAL.—Subtitle A of title XLII of the
14 Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is
15 amended by adding at the end the following new section:

16 **“SEC. 4223. EARNED VALUE MANAGEMENT PROGRAM FOR**
17 **LIFE EXTENSION PROGRAMS.**

18 “(a) IN GENERAL.—The Administrator shall estab-
19 lish an earned value management program to establish
20 earned value management standards—

21 “(1) to ensure specific benchmarks are set for
22 technology readiness for life extension programs; and

23 “(2) to ensure that appropriate risk mitigation
24 measures are taken to meet the cost and schedule
25 requirements of such programs.

1 “(b) REVIEW OF CONTRACTOR EARNED VALUE MAN-
2 AGEMENT SYSTEMS.—The Administrator shall enter into
3 an arrangement with an independent entity under which
4 that entity shall review and determine whether the earned
5 value management standards of contractors of the Admin-
6 istration for life extension programs are consistent with
7 the standards established under subsection (a).

8 “(c) RECONCILIATION OF COST ESTIMATES.—The
9 Administrator shall ensure that key decisions of the Ad-
10 ministration concerning project milestones in life exten-
11 sion programs are based on a reconciliation of cost esti-
12 mates of the Administration with any independent cost es-
13 timates conducted by the Director of Cost Estimating and
14 Program Evaluation.”.

15 (b) CLERICAL AMENDMENT.—The table of contents
16 for the Atomic Energy Defense Act is amended by insert-
17 ing after the item relating to section 4222 the following
18 new item:

“Sec. 4223. Earned value management program for life extension programs.”.

19 **SEC. 3165. USE OF HIGH PERFORMANCE COMPUTING CAPA-**
20 **BILITIES FOR COVID-19 RESEARCH.**

21 The Secretary of Energy shall make the unclassified
22 high performance computing capabilities of the Depart-
23 ment of Energy available for research relating to the
24 coronavirus disease 2019 (commonly known as “COVID-
25 19”) so long as and to the extent that doing so does not

1 negatively affect the stockpile stewardship mission of the
2 National Nuclear Security Administration.

3 **SEC. 3166. AVAILABILITY OF STOCKPILE RESPONSIVENESS**
4 **FUNDS FOR PROJECTS TO REDUCE TIME**
5 **NECESSARY TO EXECUTE A NUCLEAR TEST.**

6 From amounts authorized to be appropriated by sec-
7 tion 3101 and available, as specified in the funding table
8 in section 4701, for the Stockpile Responsiveness Program
9 under section 4220 of the Atomic Energy Defense Act (50
10 U.S.C. 2538b), not less than \$10,000,000 shall be made
11 available to carry out projects related to reducing the time
12 required to execute a nuclear test if necessary.

13 **SEC. 3167. SENSE OF THE SENATE ON EXTENSION OF LIMI-**
14 **TATIONS ON IMPORTATION OF URANIUM**
15 **FROM RUSSIAN FEDERATION.**

16 It is the sense of the Senate that—

17 (1) a secure nuclear fuel supply chain is essen-
18 tial to the economic and national security of the
19 United States;

20 (2) the United States should—

21 (A) expeditiously complete negotiation of
22 an extension of the Agreement Suspending the
23 Antidumping Investigation on Uranium from
24 the Russian Federation (commonly referred to
25 as the “Russian Suspension Agreement”); or

1 (B) if an agreement to extend the Russian
2 Suspension Agreement cannot be reached, com-
3 plete the antidumping investigation under title
4 VII of the Tariff Act of 1930 (19 U.S.C. 1671
5 et seq.) with respect to imports of uranium
6 from the Russian Federation—

7 (i) to avoid unfair trade in uranium
8 and maintain a nuclear fuel supply chain
9 in the United States, consistent with the
10 national security and nonproliferation
11 goals of the United States; and

12 (ii) to protect the United States nu-
13 clear fuel supply chain from the continued
14 manipulation of the global and United
15 States uranium markets by the Russian
16 Federation and Russian-influenced com-
17 petitors;

18 (3) a renegotiated, long-term extension of the
19 Russian Suspension Agreement can prevent adver-
20 saries of the United States from monopolizing the
21 nuclear fuel supply chain;

22 (4) as was done in 2008, upon completion of a
23 new negotiated long-term extension of the Russian
24 Suspension Agreement, Congress should enact legis-
25 lation to codify the terms of extension into law to

1 ensure long-term stability for the domestic nuclear
2 fuel supply chain; and

3 (5) if the negotiations to extend the Russian
4 Suspension Agreement prove unsuccessful, Congress
5 should be prepared to enact legislation to prevent
6 the manipulation by the Russian Federation of glob-
7 al uranium markets and potential domination by the
8 Russian Federation of the United States uranium
9 market.

10 **TITLE XXXII—DEFENSE NU-**
11 **CLEAR FACILITIES SAFETY**
12 **BOARD**

13 **SEC. 3201. AUTHORIZATION.**

14 There are authorized to be appropriated for fiscal
15 year 2021, \$28,836,000 for the operation of the Defense
16 Nuclear Facilities Safety Board under chapter 21 of the
17 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

18 **SEC. 3202. NONPUBLIC COLLABORATIVE DISCUSSIONS BY**
19 **DEFENSE NUCLEAR FACILITIES SAFETY**
20 **BOARD.**

21 Section 313 of the Atomic Energy Act of 1954 (42
22 U.S.C. 2286b) is amended by adding at the end the fol-
23 lowing new subsection:

24 “(k) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

1 “(1) IN GENERAL.—Notwithstanding section
2 552b of title 5, United States Code, a quorum of the
3 members of the Board may hold a meeting that is
4 not open to public observation to discuss official
5 business of the Board if—

6 “(A) no formal or informal vote or other
7 official action is taken at the meeting;

8 “(B) each individual present at the meet-
9 ing is a member or an employee of the Board;

10 “(C) at least one member of the Board
11 from each political party is present at the meet-
12 ing, unless all members of the Board are of the
13 same political party at the time of the meeting;
14 and

15 “(D) the general counsel of the Board, or
16 a designee of the general counsel, is present at
17 the meeting.

18 “(2) DISCLOSURE OF NONPUBLIC COLLABO-
19 RATIVE DISCUSSIONS.—

20 “(A) IN GENERAL.—Except as provided by
21 subparagraph (B), not later than two business
22 days after the conclusion of a meeting described
23 in paragraph (1), the Board shall make avail-
24 able to the public, in a place easily accessible to
25 the public—

1 “(i) a list of the individuals present at
2 the meeting; and

3 “(ii) a summary of the matters, in-
4 cluding key issues, discussed at the meet-
5 ing, except for any matter the Board prop-
6 erly determines may be withheld from the
7 public under section 552b(c) of title 5,
8 United States Code.

9 “(B) INFORMATION ABOUT MATTERS
10 WITHHELD FROM PUBLIC.—If the Board prop-
11 erly determines under subparagraph (A)(ii) that
12 a matter may be withheld from the public under
13 section 552b(c) of title 5, United States Code,
14 the Board shall include in the summary re-
15 quired by that subparagraph as much general
16 information as possible with respect to the mat-
17 ter.

18 “(3) RULES OF CONSTRUCTION.—Nothing in
19 this subsection may be construed—

20 “(A) to limit the applicability of section
21 552b of title 5, United States Code, with re-
22 spect to—

23 “(i) a meeting of the members of the
24 Board other than a meeting described in
25 paragraph (1); or

1 “(ii) any information that is proposed
2 to be withheld from the public under para-
3 graph (2)(A)(ii); or

4 “(B) to authorize the Board to withhold
5 from any individual any record that is acces-
6 sible to that individual under section 552a of
7 title 5, United States Code.”.

8 **SEC. 3203. IMPROVEMENTS TO OPERATIONS OF DEFENSE**
9 **NUCLEAR FACILITIES SAFETY BOARD.**

10 (a) **MISSION OF BOARD.**—Section 312(a) of the
11 Atomic Energy Act of 1954 (42 U.S.C. 2286a(a)) is
12 amended by striking “employees and contractors at such
13 facilities” and inserting “workers at such facilities con-
14 ducting activities covered by part 830 of title 10, Code
15 of Federal Regulations (or any successor regulation)”.

16 (b) **COOPERATION.**—Section 314(a) of the Atomic
17 Energy Act of 1954 (42 U.S.C. 2286c(a)) is amended—

18 (1) by inserting “(1)” before “Except”; and

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

21 “(2) For purposes of this subsection, the term ‘unfet-
22 tered access’, with respect to a facility or personnel of or
23 information related to a facility, means access equivalent
24 to the access to the facility, personnel, or information pro-
25 vided to a regular employee of the facility, after proper

1 identification and compliance with applicable access con-
2 trol measures for security, radiological protection, and
3 personal safety.”.

4 **TITLE XXXV—MARITIME**
5 **ADMINISTRATION**

6 **SEC. 3501. MARITIME ADMINISTRATION.**

7 Section 109 of title 49, United States Code, is
8 amended to read as follows:

9 **“§ 109. Maritime Administration**

10 “(a) ORGANIZATION AND MISSION.—The Maritime
11 Administration is an administration in the Department of
12 Transportation. The mission of the Maritime Administra-
13 tion is to foster, promote, and develop the merchant mari-
14 time industry of the United States.

15 “(b) MARITIME ADMINISTRATOR.—The head of the
16 Maritime Administration is the Maritime Administrator,
17 who is appointed by the President by and with the advice
18 and consent of the Senate. The Administrator shall report
19 directly to the Secretary of Transportation and carry out
20 the duties prescribed by the Secretary.

21 “(c) DEPUTY MARITIME ADMINISTRATOR.—The
22 Maritime Administration shall have a Deputy Maritime
23 Administrator, who is appointed in the competitive service
24 by the Secretary, after consultation with the Adminis-
25 trator. The Deputy Administrator shall carry out the du-

1 ties prescribed by the Administrator. The Deputy Admin-
2 istrator shall be Acting Administrator during the absence
3 or disability of the Administrator and, unless the Sec-
4 retary designates another individual, during a vacancy in
5 the office of Administrator.

6 “(d) DUTIES AND POWERS VESTED IN SEC-
7 RETARY.—All duties and powers of the Maritime Adminis-
8 tration are vested in the Secretary.

9 “(e) REGIONAL OFFICES.—The Maritime Adminis-
10 tration shall have regional offices for the Atlantic, Gulf,
11 Great Lakes, and Pacific port ranges, and may have other
12 regional offices as necessary. The Secretary shall appoint
13 a qualified individual as Director of each regional office.
14 The Secretary shall carry out appropriate activities and
15 programs of the Maritime Administration through the re-
16 gional offices.

17 “(f) INTERAGENCY AND INDUSTRY RELATIONS.—
18 The Secretary shall establish and maintain liaison with
19 other agencies, and with representative trade organiza-
20 tions throughout the United States, concerned with the
21 transportation of commodities by water in the export and
22 import foreign commerce of the United States, for the pur-
23 pose of securing preference to vessels of the United States
24 for the transportation of those commodities.

1 “(g) DETAILING OFFICERS FROM ARMED FORCES.—
2 To assist the Secretary in carrying out duties and powers
3 relating to the Maritime Administration, not more than
4 five officers of the Armed Forces may be detailed to the
5 Secretary at any one time, in addition to details author-
6 ized by any other law. During the period of a detail, the
7 Secretary shall pay the officer an amount that, when
8 added to the officer’s pay and allowances as an officer in
9 the Armed Forces, makes the officer’s total pay and allow-
10 ances equal to the amount that would be paid to an indi-
11 vidual performing work the Secretary considers to be of
12 similar importance, difficulty, and responsibility as that
13 performed by the officer during the detail.

14 “(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND
15 AUDITS.—

16 “(1) CONTRACTS AND COOPERATIVE AGREE-
17 MENTS.—In the same manner that a private cor-
18 poration may make a contract within the scope of its
19 authority under its charter, the Secretary may make
20 contracts and cooperative agreements for the United
21 States Government and disburse amounts to—

22 “(A) carry out the Secretary’s duties and
23 powers under this section, subtitle V of title 46,
24 and all other Maritime Administration pro-
25 grams; and

1 “(B) protect, preserve, and improve collat-
2 eral held by the Secretary to secure indebted-
3 ness.

4 “(2) AUDITS.—The financial transactions of
5 the Secretary under paragraph (1) shall be audited
6 by the Comptroller General. The Comptroller Gen-
7 eral shall allow credit for an expenditure shown to
8 be necessary because of the nature of the business
9 activities authorized by this section or subtitle V of
10 title 46. At least once a year, the Comptroller Gen-
11 eral shall report to Congress any departure by the
12 Secretary from this section or subtitle V of title 46.

13 “(i) GRANT ADMINISTRATIVE EXPENSES.—Except as
14 otherwise provided by law, the administrative and related
15 expenses for the administration of any grant programs by
16 the Maritime Administrator may not exceed 3 percent.

17 “(j) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—Except as otherwise pro-
19 vided in this subsection, there are authorized to be
20 appropriated such amounts as may be necessary to
21 carry out the duties and powers of the Secretary re-
22 lating to the Maritime Administration.

23 “(2) LIMITATIONS.—Only those amounts spe-
24 cifically authorized by law may be appropriated for
25 the use of the Maritime Administration for—

1 “(A) acquisition, construction, or recon-
2 struction of vessels;

3 “(B) construction-differential subsidies in-
4 cident to the construction, reconstruction, or re-
5 conditioning of vessels;

6 “(C) costs of national defense features;

7 “(D) payments of obligations incurred for
8 operating-differential subsidies;

9 “(E) expenses necessary for research and
10 development activities, including reimbursement
11 of the Vessel Operations Revolving Fund for
12 losses resulting from expenses of experimental
13 vessel operations;

14 “(F) the Vessel Operations Revolving
15 Fund;

16 “(G) National Defense Reserve Fleet ex-
17 penses;

18 “(H) expenses necessary to carry out part
19 B of subtitle V of title 46; and

20 “(I) other operations and training expenses
21 related to the development of waterborne trans-
22 portation systems, the use of waterborne trans-
23 portation systems, and general administra-
24 tion.”.

1 DIVISION D—FUNDING TABLES**2 SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-**
3 BLES.

4 (a) IN GENERAL.—Whenever a funding table in this
5 division specifies a dollar amount authorized for a project,
6 program, or activity, the obligation and expenditure of the
7 specified dollar amount for the project, program, or activ-
8 ity is hereby authorized, subject to the availability of ap-
9 propriations.

10 (b) MERIT-BASED DECISIONS.—A decision to com-
11 mit, obligate, or expend funds with or to a specific entity
12 on the basis of a dollar amount authorized pursuant to
13 subsection (a) shall—

14 (1) be based on merit-based selection proce-
15 dures in accordance with the requirements of sec-
16 tions 2304(k) and 2374 of title 10, United States
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of
19 law.

20 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-
21 MING AUTHORITY.—An amount specified in the funding
22 tables in this division may be transferred or repro-
23 grammed under a transfer or reprogramming authority
24 provided by another provision of this Act or by other law.
25 The transfer or reprogramming of an amount specified in

1 such funding tables shall not count against a ceiling on
2 such transfers or reprogrammings under section 1001 or
3 section 1522 of this Act or any other provision of law,
4 unless such transfer or reprogramming would move funds
5 between appropriation accounts.

6 (d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This
7 section applies to any classified annex that accompanies
8 this Act.

9 (e) **ORAL WRITTEN COMMUNICATIONS.**—No oral or
10 written communication concerning any amount specified
11 in the funding tables in this division shall supersede the
12 requirements of this section.

1 **TITLE XLI—PROCUREMENT**2 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
2	MQ-1 UAV	0	165,000
	Reverse planned temporary procurement pause		[165,000]
3	FUTURE UAS FAMILY	1,100	1,100
4	RQ-11 (RAVEN)	20,851	20,851
ROTARY			
7	AH-64 APACHE BLOCK IIIA REMAN	792,027	792,027
8	AH-64 APACHE BLOCK IIIA REMAN AP	169,460	169,460
11	UH-60 BLACKHAWK M MODEL (MYP)	742,998	742,998
12	UH-60 BLACKHAWK M MODEL (MYP) AP	87,427	87,427
13	UH-60 BLACK HAWK L AND V MODELS	172,797	172,797
14	CH-47 HELICOPTER	160,750	160,750
15	CH-47 HELICOPTER AP	18,372	18,372
MODIFICATION OF AIRCRAFT			
18	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	7,509	7,509
19	GRAY EAGLE MODS2	16,280	16,280
20	MULTI SENSOR ABN RECON (MIP)	35,864	35,864
21	AH-64 MODS	118,316	118,316
22	CH-47 CARGO HELICOPTER MODS (MYP)	15,548	35,548
	IVCS		[20,000]
23	GRCS SEMA MODS (MIP)	2,947	2,947
24	ARL SEMA MODS (MIP)	9,598	9,598
25	EMARSS SEMA MODS (MIP)	2,452	2,452
26	UTILITY/CARGO AIRPLANE MODS	13,868	13,868
27	UTILITY HELICOPTER MODS	25,842	25,842
28	NETWORK AND MISSION PLAN	77,432	77,432
29	COMMS, NAV SURVEILLANCE	101,355	101,355
31	AVIATION ASSURED PNT	54,609	54,609
32	GATM ROLLUP	12,180	12,180
34	UAS MODS	4,204	4,204
GROUND SUPPORT AVIONICS			
35	AIRCRAFT SURVIVABILITY EQUIPMENT	49,455	49,455
36	SURVIVABILITY CM	8,035	8,035
37	CMWS	10,567	10,567
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	237,467	237,467
OTHER SUPPORT			
39	AVIONICS SUPPORT EQUIPMENT	1,789	1,789
40	COMMON GROUND EQUIPMENT	17,584	17,584
41	AIRCREW INTEGRATED SYSTEMS	48,265	48,265
42	AIR TRAFFIC CONTROL	26,408	26,408
44	LAUNCHER, 2.75 ROCKET	2,256	2,256
45	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	8,982	8,982
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,074,594	3,259,594
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
2	M-SHORAD—PROCUREMENT	378,654	378,654
3	MSE MISSILE	603,188	779,773
	Transfer missiles from EDI OCO		[176,585]
4	PRECISION STRIKE MISSILE (PRSM)	49,941	49,941
5	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	106,261	65,761
	Army-identified funding early to need		[-40,500]
AIR-TO-SURFACE MISSILE SYSTEM			
6	HELLFIRE SYS SUMMARY	91,225	91,225
7	JOINT AIR-TO-GROUND MSLS (JAGM)	213,397	213,397
8	LONG RANGE PRECISION MUNITION	45,307	45,307
ANTI-TANK/ASSAULT MISSILE SYS			
9	JAVELIN (AAWS-M) SYSTEM SUMMARY	190,325	190,325
10	TOW 2 SYSTEM SUMMARY	121,074	121,074
11	GUIDED MLRS ROCKET (GMLRS)	850,157	850,157
12	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	30,836	30,836
13	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	41,226	41,226
MODIFICATIONS			
16	PATRIOT MODS	278,050	278,050
17	ATACMS MODS	141,690	141,690
20	AVENGER MODS	13,942	13,942
21	ITAS/TOW MODS	5,666	5,666
22	MLRS MODS	310,419	310,419
23	HIMARS MODIFICATIONS	6,081	6,081
SPARES AND REPAIR PARTS			
24	SPARES AND REPAIR PARTS	5,090	5,090

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
SUPPORT EQUIPMENT & FACILITIES			
25	AIR DEFENSE TARGETS	8,978	8,978
	TOTAL MISSILE PROCUREMENT, ARMY	3,491,507	3,627,592
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	192,971	172,971
	Program decrease		[-20,000]
MODIFICATION OF TRACKED COMBAT VEHICLES			
4	STRYKER UPGRADE	847,212	847,212
5	BRADLEY PROGRAM (MOD)	493,109	473,109
	UBIS slip		[-20,000]
6	M109 FOV MODIFICATIONS	26,893	26,893
7	PALADIN INTEGRATED MANAGEMENT (PIM)	435,825	435,825
9	ASSAULT BRIDGE (MOD)	5,074	5,074
10	ASSAULT BREACHER VEHICLE	19,500	19,500
11	M88 FOV MODS	18,382	13,382
	Unjustified growth		[-5,000]
12	JOINT ASSAULT BRIDGE	72,178	61,678
	IOTE and testing delay		[-10,500]
13	M1 ABRAMS TANK (MOD)	392,013	392,013
14	ABRAMS UPGRADE PROGRAM	1,033,253	1,033,253
WEAPONS & OTHER COMBAT VEHICLES			
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	17,864	17,864
18	MORTAR SYSTEMS	10,288	10,288
19	XM320 GRENADE LAUNCHER MODULE (GLM)	5,969	5,969
20	PRECISION SNIPER RIFLE	10,137	10,137
21	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	999	999
22	CARBINE	7,411	7,411
23	NEXT GENERATION SQUAD WEAPON	35,822	35,822
24	COMMON REMOTELY OPERATED WEAPONS STATION	24,534	24,534
25	HANDGUN	4,662	4,662
MOD OF WEAPONS AND OTHER COMBAT VEH			
26	MK-19 GRENADE MACHINE GUN MODS	6,444	6,444
27	M777 MODS	10,983	10,983
28	M4 CARBINE MODS	4,824	4,824
31	M240 MEDIUM MACHINE GUN MODS	6,385	6,385
32	SNIPER RIFLES MODIFICATIONS	1,898	1,898
33	M119 MODIFICATIONS	2,009	2,009
34	MORTAR MODIFICATION	1,689	1,689
35	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	2,604	2,604
SUPPORT EQUIPMENT & FACILITIES			
36	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	2,763	2,763
37	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,045	3,045
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,696,740	3,641,240
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
1	CTG, 5.56MM, ALL TYPES	68,472	68,472
2	CTG, 7.62MM, ALL TYPES	109,933	109,933
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	11,988	11,988
4	CTG, HANDGUN, ALL TYPES	853	853
5	CTG, .50 CAL, ALL TYPES	58,280	58,280
6	CTG, 20MM, ALL TYPES	31,708	31,708
7	CTG, 25MM, ALL TYPES	9,111	9,111
8	CTG, 30MM, ALL TYPES	58,172	58,172
9	CTG, 40MM, ALL TYPES	114,638	114,638
MORTAR AMMUNITION			
10	60MM MORTAR, ALL TYPES	31,222	31,222
11	81MM MORTAR, ALL TYPES	42,857	42,857
12	120MM MORTAR, ALL TYPES	107,762	107,762
TANK AMMUNITION			
13	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	233,444	233,444
ARTILLERY AMMUNITION			
14	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	35,963	35,963
15	ARTILLERY PROJECTILE, 155MM, ALL TYPES	293,692	293,692
16	PROJ 155MM EXTENDED RANGE M982	69,159	69,159
17	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	232,913	232,913
MINES			
18	MINES & CLEARING CHARGES, ALL TYPES	65,278	65,278
19	CLOSE TERRAIN SHAPING OBSTACLE	4,995	4,995
ROCKETS			
20	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	69,112	69,112
21	ROCKET, HYDRA 70, ALL TYPES	125,915	125,915
OTHER AMMUNITION			
22	CAD/PAD, ALL TYPES	8,891	8,891
23	DEMOLITION MUNITIONS, ALL TYPES	54,043	54,043
24	GRENADES, ALL TYPES	28,931	28,931

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
25	SIGNALS, ALL TYPES	27,036	27,036
26	SIMULATORS, ALL TYPES	10,253	10,253
	MISCELLANEOUS		
27	AMMO COMPONENTS, ALL TYPES	3,476	3,476
29	ITEMS LESS THAN \$5 MILLION (AMMO)	10,569	10,569
30	AMMUNITION PECULIAR EQUIPMENT	12,338	12,338
31	FIRST DESTINATION TRANSPORTATION (AMMO)	15,908	15,908
32	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
33	INDUSTRIAL FACILITIES	592,224	592,224
34	CONVENTIONAL MUNITIONS DEMILITARIZATION	235,112	235,112
35	ARMS INITIATIVE	3,369	3,369
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,777,716	2,777,716
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	TACTICAL TRAILERS/DOLLY SETS	12,986	12,986
2	SEMITRAILERS, FLATBED:	31,443	31,443
3	SEMITRAILERS, TANKERS	17,082	17,082
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	44,795	44,795
5	GROUND MOBILITY VEHICLES (GMV)	37,932	37,932
8	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	894,414	894,414
9	TRUCK, DUMP, 20T (CCE)	29,368	29,368
10	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	95,092	95,092
11	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	999	999
12	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	27,687	27,687
14	PLS ESP	21,969	21,969
15	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	65,635	65,635
16	HMMWV RECAPITALIZATION PROGRAM	5,927	5,927
17	TACTICAL WHEELED VEHICLE PROTECTION KITS	36,497	36,497
18	MODIFICATION OF IN SVC EQUIP	114,977	114,977
	NON-TACTICAL VEHICLES		
20	PASSENGER CARRYING VEHICLES	1,246	1,246
21	NON-TACTICAL VEHICLES, OTHER	19,870	19,870
	COMM—JOINT COMMUNICATIONS		
22	SIGNAL MODERNIZATION PROGRAM	160,469	160,469
23	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	360,379	365,379
	MDTF scalable node equipment		[5,000]
24	SITUATION INFORMATION TRANSPORT	63,396	63,396
26	JCSE EQUIPMENT (USRDECOM)	5,170	5,170
	COMM—SATELLITE COMMUNICATIONS		
29	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,498	101,498
30	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	72,450	74,850
	AFRICOM force protection upgrades		[1,000]
	MDTF support requirements		[1,400]
31	SHF TERM	13,173	13,173
32	ASSURED POSITIONING, NAVIGATION AND TIMING	134,928	134,928
33	SMART-T (SPACE)	8,611	8,611
34	GLOBAL BRDCST SVC—GBS	8,191	8,191
	COMM—C3 SYSTEM		
36	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,871	94,871
	COMM—COMBAT COMMUNICATIONS		
37	HANDHELD MANPACK SMALL FORM FIT (HMS)	550,848	552,348
	AFRICOM force protection upgrades		[1,500]
38	RADIO TERMINAL SET, MIDS LVT(2)	8,237	8,237
41	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	13,967	0
	Program cancellation		[-13,967]
43	UNIFIED COMMAND SUITE	19,579	19,579
44	COTS COMMUNICATIONS EQUIPMENT	94,156	94,156
45	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	18,313	18,313
46	ARMY COMMUNICATIONS & ELECTRONICS	51,480	51,480
	COMM—INTELLIGENCE COMM		
48	CI AUTOMATION ARCHITECTURE (MIP)	13,146	13,146
49	DEFENSE MILITARY DECEPTION INITIATIVE	5,624	5,624
	INFORMATION SECURITY		
51	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	4,596	4,596
52	COMMUNICATIONS SECURITY (COMSEC)	159,272	159,272
53	DEFENSIVE CYBER OPERATIONS	54,753	55,653
	MDTF cyber defense and EW tools		[900]
54	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,760	1,760
56	ITEMS LESS THAN \$5M (INFO SECURITY)	260	260
	COMM—LONG HAUL COMMUNICATIONS		
57	BASE SUPPORT COMMUNICATIONS	29,761	30,761
	AFRICOM UFR force protection upgrades		[1,000]
	COMM—BASE COMMUNICATIONS		
58	INFORMATION SYSTEMS	147,696	147,696
59	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,900	4,900
60	HOME STATION MISSION COMMAND CENTERS (HSMCC)	15,227	15,227

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
61	JOINT INFORMATION ENVIRONMENT (JIE)	3,177	3,177
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	300,035	300,035
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
65	JTT/CIBS-M (MIP)	5,304	5,304
66	TERRESTRIAL LAYER SYSTEMS (TLS) (MIP)	8,081	8,081
68	DCGS-A (MIP)	151,886	151,886
70	TROJAN (MIP)	17,593	17,593
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	28,558	28,558
73	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	999	999
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
75	LIGHTWEIGHT COUNTER MORTAR RADAR	5,332	5,332
76	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	7,849	7,849
77	AIR VIGILANCE (AV) (MIP)	8,160	8,160
79	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	8,669	8,669
81	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	0	13,400
	MDTF advanced intel systems remote collection		[13,400]
82	CI MODERNIZATION (MIP)	300	300
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
83	SENTINEL MODS	58,884	58,884
84	NIGHT VISION DEVICES	1,127,375	1,127,375
86	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	13,954	13,954
88	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	10,069	14,069
	AFRICOM UFR force protection upgrades		[4,000]
89	FAMILY OF WEAPON SIGHTS (FWS)	133,590	133,590
91	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	243,850	243,850
92	JOINT EFFECTS TARGETING SYSTEM (JETS)	69,641	69,641
94	COMPUTER BALLISTICS: LHMCB XM32	7,509	7,509
95	MORTAR FIRE CONTROL SYSTEM	3,800	3,800
96	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,292	7,292
97	COUNTERFIRE RADARS	72,421	72,421
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
98	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....	49,947	49,947
99	FIRE SUPPORT C2 FAMILY	9,390	9,390
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	47,374	47,374
101	IAMD BATTLE COMMAND SYSTEM	201,587	201,587
102	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,495	4,495
103	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,651	18,651
105	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	2,792	2,792
106	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	9,071	9,071
107	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	12,117	12,117
108	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,004	3,004
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	14,574	14,574
110	AUTOMATED DATA PROCESSING EQUIP	140,619	140,619
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	4,448	4,448
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	68,405	68,405
113	CONTRACT WRITING SYSTEM	8,459	8,459
114	CSS COMMUNICATIONS	57,651	57,651
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	14,848	14,848
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	4,995	4,995
	ELECT EQUIP—SUPPORT		
119	BCT EMERGING TECHNOLOGIES	16,983	20,883
	MDTF advanced intel systems remote collection		[3,900]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	1,582	1,582
	CHEMICAL DEFENSIVE EQUIPMENT		
123	CBRN DEFENSE	28,456	42,456
	WMD CST equipment		[14,000]
124	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	13,995	13,995
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	10,545	10,545
126	TACTICAL BRIDGE, FLOAT-RIBBON	72,074	72,074
127	BRIDGE SUPPLEMENTAL SET	32,493	32,493
128	COMMON BRIDGE TRANSPORTER (CBT) RECAP	62,978	62,978
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,570	5,570
130	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	2,497	2,497
132	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	109,069	109,069
134	EOD ROBOTICS SYSTEMS RECAPITALIZATION	36,584	36,584
135	ROBOTICS AND APPLIQUE SYSTEMS	179,544	179,544
137	RENDER SAFE SETS KITS OUTFITS	64,583	64,583
139	FAMILY OF BOATS AND MOTORS	5,289	5,289
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	8,200	8,200
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,625	4,625
143	GROUND SOLDIER SYSTEM	154,937	154,937
144	MOBILE SOLDIER POWER	34,297	34,297

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	53,021	53,021
148	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	23,324	23,324
149	ITEMS LESS THAN \$5M (ENG SPT)	8,014	8,014
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	78,448	78,448
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	59,485	59,485
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	40,337	40,337
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	5,386	5,386
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,406	5,406
155	SCRAPERS, EARTHMOVING	4,188	4,188
156	LOADERS	4,521	4,521
157	HYDRAULIC EXCAVATOR	5,186	5,186
158	TRACTOR, FULL TRACKED	4,715	4,715
159	ALL TERRAIN CRANES	70,560	70,560
162	CONST EQUIP ESP	8,925	8,925
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
164	ARMY WATERCRAFT ESP	40,910	40,910
165	MANEUVER SUPPORT VESSEL (MSV)	76,576	76,576
166	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	1,844	1,844
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	53,433	53,433
168	TACTICAL ELECTRIC POWER RECAPITALIZATION	22,216	22,216
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	16,145	16,145
	TRAINING EQUIPMENT		
170	COMBAT TRAINING CENTERS SUPPORT	90,580	90,580
171	TRAINING DEVICES, NONSYSTEM	161,814	161,814
172	SYNTHETIC TRAINING ENVIRONMENT (STE)	13,063	13,063
175	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	1,950	1,950
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
176	CALIBRATION SETS EQUIPMENT	2,511	2,511
177	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	78,578	78,578
178	TEST EQUIPMENT MODERNIZATION (TEMOD)	14,941	14,941
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,629	8,629
181	PHYSICAL SECURITY SYSTEMS (OPA3)	75,499	87,499
	AFRICOM UFR force protection upgrades		[12,000]
182	BASE LEVEL COMMON EQUIPMENT	27,444	27,444
183	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	32,485	48,385
	Expeditionary Solid Waste Disposal System		[15,900]
187	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	39,436	39,436
	OPA2		
189	INITIAL SPARES—C&E	9,950	9,950
	TOTAL OTHER PROCUREMENT, ARMY	8,625,206	8,685,239
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A-18E/F (FIGHTER) HORNET	1,761,146	1,761,146
3	JOINT STRIKE FIGHTER CV	2,181,780	2,381,780
	Additional aircraft		[200,000]
4	JOINT STRIKE FIGHTER CV AP	330,386	330,386
5	JSF STOVL	1,109,393	1,234,893
	Additional 2 F-35B aircraft		[125,500]
6	JSF STOVL AP	303,035	303,035
7	CH-53K (HEAVY LIFT)	813,324	793,324
	Force Design 2030 realignment NRE excess		[-20,000]
8	CH-53K (HEAVY LIFT) AP	201,188	191,188
	Force Design 2030 realignment		[-10,000]
9	V-22 (MEDIUM LIFT)	934,793	934,793
10	V-22 (MEDIUM LIFT) AP	39,547	39,547
11	H-1 UPGRADES (UH-1Y/AH-1Z)	7,267	7,267
13	P-8A POSEIDON	80,134	80,134
15	E-2D ADV HAWKEYE	626,109	626,109
16	E-2D ADV HAWKEYE AP	123,166	123,166
	TRAINER AIRCRAFT		
17	ADVANCED HELICOPTER TRAINING SYSTEM	269,867	269,867
	OTHER AIRCRAFT		
18	KC-130J	380,984	380,984
19	KC-130J AP	67,022	67,022
21	MQ-4 TRITON	150,570	100,570
	Excess funding given procurement pause until FY23		[-50,000]
23	MQ-8 UAV	40,375	40,375
24	STUASL0 UAV	30,930	30,930
26	VH-92A EXECUTIVE HELO	610,231	610,231
	MODIFICATION OF AIRCRAFT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
28	F-18 A-D UNIQUE	208,261	208,261
29	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	468,954	468,954
30	AEA SYSTEMS	21,061	21,061
31	AV-8 SERIES	34,082	34,082
32	INFRARED SEARCH AND TRACK (IRST)	158,055	158,055
33	ADVERSARY	42,946	42,946
34	F-18 SERIES	379,351	379,351
35	H-53 SERIES	74,771	74,771
36	MH-60 SERIES	131,584	131,584
37	H-1 SERIES	185,140	185,140
38	EP-3 SERIES	26,602	26,602
40	E-2 SERIES	175,540	175,540
41	TRAINER A/C SERIES	7,085	7,085
42	C-2A	9,525	9,525
43	C-130 SERIES	141,705	141,705
44	FEWSG	684	684
45	CARGO/TRANSPORT A/C SERIES	8,911	8,911
46	E-6 SERIES	197,206	197,206
47	EXECUTIVE HELICOPTERS SERIES	29,086	29,086
49	T-45 SERIES	153,745	153,745
50	POWER PLANT CHANGES	24,633	24,633
51	JPATS SERIES	22,682	22,682
52	AVIATION LIFE SUPPORT MODS	40,401	45,401
	Aviation body armor vest		[5,000]
53	COMMON ECM EQUIPMENT	138,480	138,480
54	COMMON AVIONICS CHANGES	143,322	143,322
55	COMMON DEFENSIVE WEAPON SYSTEM	2,142	2,142
56	ID SYSTEMS	35,999	35,999
57	P-8 SERIES	180,530	180,530
58	MAGTF EW FOR AVIATION	27,794	27,794
59	MQ-8 SERIES	28,774	28,774
60	V-22 (TILT/ROTOR ACFT) OSPREY	334,405	334,405
61	NEXT GENERATION JAMMER (NGJ)	176,638	176,638
62	P-35 STOVL SERIES	153,588	153,588
63	F-35 CV SERIES	103,452	103,452
64	QRC	126,618	126,618
65	MQ-4 SERIES	12,998	12,998
66	RQ-21 SERIES	18,550	18,550
	AIRCRAFT SPARES AND REPAIR PARTS		
70	SPARES AND REPAIR PARTS	2,198,460	2,228,460
	Additional F-35B/C spares		[30,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
71	COMMON GROUND EQUIPMENT	543,559	543,559
72	AIRCRAFT INDUSTRIAL FACILITIES	75,685	75,685
73	WAR CONSUMABLES	40,633	40,633
74	OTHER PRODUCTION CHARGES	21,194	21,194
75	SPECIAL SUPPORT EQUIPMENT	153,179	153,179
76	FIRST DESTINATION TRANSPORTATION	2,121	2,121
	TOTAL AIRCRAFT PROCUREMENT, NAVY	17,127,378	17,407,878
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,173,837	1,173,837
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,275	7,275
	STRATEGIC MISSILES		
3	TOMAHAWK	277,694	303,694
	Program increase for USMC Tomahawk		[26,000]
	TACTICAL MISSILES		
4	AMRAAM	326,952	326,952
5	SIDEWINDER	126,485	126,485
7	STANDARD MISSILE	456,206	456,206
8	STANDARD MISSILE AP	66,716	66,716
9	SMALL DIAMETER BOMB II	78,867	78,867
10	RAM	90,533	90,533
11	JOINT AIR GROUND MISSILE (JAGM)	49,386	49,386
14	AERIAL TARGETS	174,336	174,336
15	DRONES AND DECOYS	41,256	41,256
16	OTHER MISSILE SUPPORT	3,501	3,501
17	LRASM	168,845	203,845
	Additional Navy LRASM missiles		[35,000]
18	LCS OTH MISSILE	32,910	32,910
	MODIFICATION OF MISSILES		
19	TOMAHAWK MODS	164,915	164,915
20	ESSM	215,375	215,375
22	HARM MODS	147,572	147,572
23	STANDARD MISSILES MODS	83,654	83,654
	SUPPORT EQUIPMENT & FACILITIES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
24	WEAPONS INDUSTRIAL FACILITIES	1,996	1,996
25	FLEET SATELLITE COMM FOLLOW-ON	53,401	53,401
	ORDNANCE SUPPORT EQUIPMENT		
27	ORDNANCE SUPPORT EQUIPMENT	215,659	215,659
	TORPEDOES AND RELATED EQUIP		
28	SSTD	5,811	3,611
	Insufficient justification for ADC non-recurring costs		[-2,200]
29	MK-48 TORPEDO	284,901	284,901
30	ASW TARGETS	13,833	13,833
	MOD OF TORPEDOES AND RELATED EQUIP		
31	MK-54 TORPEDO MODS	110,286	100,286
	Mk 54 Mod 0 production delays		[-10,000]
32	MK-48 TORPEDO ADCAP MODS	57,214	57,214
33	MARITIME MINES	5,832	5,832
	SUPPORT EQUIPMENT		
34	TORPEDO SUPPORT EQUIPMENT	97,581	97,581
35	ASW RANGE SUPPORT	4,159	4,159
	DESTINATION TRANSPORTATION		
36	FIRST DESTINATION TRANSPORTATION	4,106	4,106
	GUNS AND GUN MOUNTS		
37	SMALL ARMS AND WEAPONS	16,030	16,030
	MODIFICATION OF GUNS AND GUN MOUNTS		
38	CIWS MODS	37,147	37,147
39	COAST GUARD WEAPONS	45,804	45,804
40	GUN MOUNT MODS	74,427	74,427
41	LCS MODULE WEAPONS	4,253	4,253
42	AIRBORNE MINE NEUTRALIZATION SYSTEMS	6,662	6,662
	SPARES AND REPAIR PARTS		
45	SPARES AND REPAIR PARTS	159,578	159,578
	TOTAL WEAPONS PROCUREMENT, NAVY	4,884,995	4,933,795
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	41,496	41,496
2	JDAM	64,631	64,631
3	AIRBORNE ROCKETS, ALL TYPES	60,719	60,719
4	MACHINE GUN AMMUNITION	11,158	11,158
5	PRACTICE BOMBS	51,409	51,409
6	CARTRIDGES & CART ACTUATED DEVICES	64,694	64,694
7	AIR EXPENDABLE COUNTERMEASURES	51,523	51,523
8	JATOS	6,761	6,761
9	5 INCH/54 GUN AMMUNITION	31,517	31,517
10	INTERMEDIATE CALIBER GUN AMMUNITION	38,005	38,005
11	OTHER SHIP GUN AMMUNITION	40,626	40,626
12	SMALL ARMS & LANDING PARTY AMMO	48,202	48,202
13	PYROTECHNIC AND DEMOLITION	9,766	9,766
15	AMMUNITION LESS THAN \$5 MILLION	2,115	2,115
	MARINE CORPS AMMUNITION		
16	MORTARS	46,781	46,781
17	DIRECT SUPPORT MUNITIONS	119,504	119,504
18	INFANTRY WEAPONS AMMUNITION	83,220	83,220
19	COMBAT SUPPORT MUNITIONS	32,650	32,650
20	AMMO MODERNIZATION	15,144	15,144
21	ARTILLERY MUNITIONS	59,539	59,539
22	ITEMS LESS THAN \$5 MILLION	4,142	4,142
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	883,602	883,602
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	2,891,475	2,891,475
2	OHIO REPLACEMENT SUBMARINE AP	1,123,175	1,298,175
	Submarine supplier stability		[175,000]
	OTHER WARSHIPS		
3	CARRIER REPLACEMENT PROGRAM	997,544	997,544
4	CVN-81	1,645,606	1,645,606
5	VIRGINIA CLASS SUBMARINE	2,334,693	2,260,293
	Unjustified cost growth		[-74,400]
6	VIRGINIA CLASS SUBMARINE AP	1,901,187	2,373,187
	Long lead material for option ship		[472,000]
7	CVN REFUELING OVERHAULS	1,878,453	1,878,453
8	CVN REFUELING OVERHAULS AP	17,384	17,384
9	DDG 1000	78,205	78,205
10	DDG-51	3,040,270	3,010,270
	Available prior-year funds		[-30,000]
11	DDG-51 AP	29,297	464,297
	LLTM for FY22 DDG-51s		[260,000]
	Surface ship supplier stability		[175,000]
13	FFG-FRIGATE	1,053,123	1,053,123

**SEC. 4101. PROCUREMENT
(In Thousands of Dollars)**

Line	Item	FY 2021 Request	Senate Authorized
AMPHIBIOUS SHIPS			
14	LPD FLIGHT II	1,155,801	905,801
	Transfer to Line 15		[-250,000]
15	LPD FLIGHT II AP	0	500,000
	LPD-32 and LPD-33 program increase		[250,000]
	Transfer from Line 14 for LPD-32 and LPD-33		[250,000]
17	LHA REPLACEMENT	0	250,000
	LHA-9 program increase		[250,000]
AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST			
22	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	168,209	168,209
23	LCU 1700	87,395	70,395
	Insufficient justification		[-17,000]
24	OUTFITTING	825,586	747,286
	Unjustified cost growth		[-78,300]
26	SERVICE CRAFT	249,781	275,281
	Accelerate YP-703 Flight II		[25,500]
27	LCAC SLEP	56,461	0
	Insufficient justification		[-56,461]
28	COMPLETION OF PY SHIPBUILDING PROGRAMS	369,112	369,112
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	19,902,757	21,254,096
OTHER PROCUREMENT, NAVY			
SHIP PROPULSION EQUIPMENT			
1	SURFACE POWER EQUIPMENT	11,738	11,738
GENERATORS			
2	SURFACE COMBATANT HM&E	58,497	38,497
	Hardware and software upgrades for 5 previously procured HED ship sets		[15,000]
	HED installation early to need		[-35,000]
3	NAVIGATION EQUIPMENT	74,084	74,084
OTHER SHIPBOARD EQUIPMENT			
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	204,806	204,806
5	DDG MOD	547,569	497,569
	Installation excess unit cost growth		[-50,000]
6	FIREFIGHTING EQUIPMENT	18,394	18,394
7	COMMAND AND CONTROL SWITCHBOARD	2,374	2,374
8	LHA/LHD MIDLIFE	78,265	78,265
9	POLLUTION CONTROL EQUIPMENT	23,035	23,035
10	SUBMARINE SUPPORT EQUIPMENT	64,632	64,632
11	VIRGINIA CLASS SUPPORT EQUIPMENT	22,868	22,868
12	LCS CLASS SUPPORT EQUIPMENT	3,976	3,976
13	SUBMARINE BATTERIES	31,322	31,322
14	LPD CLASS SUPPORT EQUIPMENT	50,475	50,475
15	DDG 1000 CLASS SUPPORT EQUIPMENT	42,279	42,279
16	STRATEGIC PLATFORM SUPPORT EQUIP	15,429	15,429
17	DSSP EQUIPMENT	2,918	2,918
18	CG MODERNIZATION	87,978	87,978
19	LCAC	9,366	9,366
20	UNDERWATER EOD EQUIPMENT	16,842	16,842
21	ITEMS LESS THAN \$5 MILLION	105,715	105,715
22	CHEMICAL WARFARE DETECTORS	3,044	3,044
23	SUBMARINE LIFE SUPPORT SYSTEM	5,885	5,885
REACTOR PLANT EQUIPMENT			
24	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,260,721	1,260,721
25	REACTOR POWER UNITS	5,305	5,305
26	REACTOR COMPONENTS	415,404	415,404
OCEAN ENGINEERING			
27	DIVING AND SALVAGE EQUIPMENT	11,143	11,143
SMALL BOATS			
28	STANDARD BOATS	52,371	52,371
PRODUCTION FACILITIES EQUIPMENT			
29	OPERATING FORCES IPE	233,667	233,667
OTHER SHIP SUPPORT			
30	LCS COMMON MISSION MODULES EQUIPMENT	39,714	17,414
	MCM containers and MPCE sonar processing insufficient justification		[-22,300]
31	LCS MCM MISSION MODULES	218,822	95,322
	Excess procurement ahead of satisfactory testing		[-123,500]
32	LCS ASW MISSION MODULES	61,759	4,759
	Excess procurement ahead of satisfactory testing		[-57,000]
33	LCS SUW MISSION MODULES	24,412	24,412
34	LCS IN-SERVICE MODERNIZATION	121,848	121,848
35	SMALL & MEDIUM UUV	67,709	37,609
	SMCM UUV excess procurement ahead of satisfactory testing		[-30,100]
SHIP SONARS			
37	SPQ-9B RADAR	27,517	27,517
38	AN/SQQ-89 SURF ASW COMBAT SYSTEM	128,664	128,664
39	SSN ACOUSTIC EQUIPMENT	374,737	374,737
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,286	9,286

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
ASW ELECTRONIC EQUIPMENT			
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	26,066	26,066
42	SSTD	13,241	13,241
43	FIXED SURVEILLANCE SYSTEM	193,446	193,446
44	SURTASS	63,838	63,838
ELECTRONIC WARFARE EQUIPMENT			
45	AN/SLQ-32	387,195	330,795
	Early to need		[-56,400]
RECONNAISSANCE EQUIPMENT			
46	SHIPBOARD IW EXPLOIT	235,744	235,744
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,862	3,862
OTHER SHIP ELECTRONIC EQUIPMENT			
48	COOPERATIVE ENGAGEMENT CAPABILITY	26,006	18,706
	Common Array Block antenna program delays		[-7,300]
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,385	15,385
50	ATDLS	103,835	103,835
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,594	3,594
52	MINESWEEPING SYSTEM REPLACEMENT	15,744	15,744
53	SHALLOW WATER MCM	5,493	5,493
54	NAVSTAR GPS RECEIVERS (SPACE)	38,043	38,043
55	AMERICAN FORCES RADIO AND TV SERVICE	2,592	2,592
56	STRATEGIC PLATFORM SUPPORT EQUIP	7,985	7,985
AVIATION ELECTRONIC EQUIPMENT			
57	ASHORE ATC EQUIPMENT	83,475	83,475
58	AFLOAT ATC EQUIPMENT	65,113	65,113
59	ID SYSTEMS	23,815	23,815
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	100,751	100,751
61	NAVAL MISSION PLANNING SYSTEMS	13,947	13,947
OTHER SHORE ELECTRONIC EQUIPMENT			
62	MARITIME INTEGRATED BROADCAST SYSTEM	1,375	1,375
63	TACTICAL/MOBILE C4I SYSTEMS	22,771	22,771
64	DCGS-N	18,872	18,872
65	CANES	389,585	389,585
66	RADIAC	10,335	10,335
67	CANES-INTELL	48,654	48,654
68	GPETE	8,133	8,133
69	MASF	4,150	4,150
70	INTEG COMBAT SYSTEM TEST FACILITY	5,934	5,934
71	EMI CONTROL INSTRUMENTATION	4,334	4,334
72	ITEMS LESS THAN \$5 MILLION	159,815	105,015
	NGSSR available prior year funds		[-54,800]
SHIPBOARD COMMUNICATIONS			
73	SHIPBOARD TACTICAL COMMUNICATIONS	56,106	56,106
74	SHIP COMMUNICATIONS AUTOMATION	124,288	124,288
75	COMMUNICATIONS ITEMS UNDER \$5M	45,120	45,120
SUBMARINE COMMUNICATIONS			
76	SUBMARINE BROADCAST SUPPORT	31,133	31,133
77	SUBMARINE COMMUNICATION EQUIPMENT	62,214	62,214
SATELLITE COMMUNICATIONS			
78	SATELLITE COMMUNICATIONS SYSTEMS	47,421	47,421
79	NAVY MULTIBAND TERMINAL (NMT)	64,552	64,552
SHORE COMMUNICATIONS			
80	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,398	4,398
CRYPTOGRAPHIC EQUIPMENT			
81	INFO SYSTEMS SECURITY PROGRAM (ISSP)	157,551	157,551
82	MIO INTEL EXPLOITATION TEAM	985	985
CRYPTOLOGIC EQUIPMENT			
83	CRYPTOLOGIC COMMUNICATIONS EQUIP	15,906	15,906
OTHER ELECTRONIC SUPPORT			
90	COAST GUARD EQUIPMENT	70,689	70,689
SONOBUOYS			
92	SONOBUOYS—ALL TYPES	237,639	286,739
	Program increase for sonobuoys		[49,100]
AIRCRAFT SUPPORT EQUIPMENT			
93	MINOTAUR	5,077	5,077
94	WEAPONS RANGE SUPPORT EQUIPMENT	83,969	83,969
95	AIRCRAFT SUPPORT EQUIPMENT	187,758	187,758
96	ADVANCED ARRESTING GEAR (AAG)	16,059	16,059
97	METEOROLOGICAL EQUIPMENT	15,192	15,192
99	LEGACY AIRBORNE MCM	6,674	6,674
100	LAMPS EQUIPMENT	1,189	1,189
101	AVIATION SUPPORT EQUIPMENT	58,873	58,873
102	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	60,937	60,937
SHIP GUN SYSTEM EQUIPMENT			
103	SHIP GUN SYSTEMS EQUIPMENT	5,540	5,540
SHIP MISSILE SYSTEMS EQUIPMENT			
104	HARPOON SUPPORT EQUIPMENT	208	208
105	SHIP MISSILE SUPPORT EQUIPMENT	262,077	262,077

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
106	TOMAHAWK SUPPORT EQUIPMENT	84,087	84,087
	FBM SUPPORT EQUIPMENT		
107	STRATEGIC MISSILE SYSTEMS EQUIP	258,910	258,910
	ASW SUPPORT EQUIPMENT		
108	SSN COMBAT CONTROL SYSTEMS	173,770	173,770
109	ASW SUPPORT EQUIPMENT	26,584	26,584
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,470	7,470
111	ITEMS LESS THAN \$5 MILLION	6,356	6,356
	OTHER EXPENDABLE ORDNANCE		
112	ANTI-SHIP MISSILE DECOY SYSTEM	86,356	86,356
113	SUBMARINE TRAINING DEVICE MODS	69,240	69,240
114	SURFACE TRAINING EQUIPMENT	192,245	192,245
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	6,123	6,123
116	GENERAL PURPOSE TRUCKS	2,693	2,693
117	CONSTRUCTION & MAINTENANCE EQUIP	47,301	47,301
118	FIRE FIGHTING EQUIPMENT	10,352	10,352
119	TACTICAL VEHICLES	31,475	31,475
121	POLLUTION CONTROL EQUIPMENT	2,630	2,630
122	ITEMS LESS THAN \$5 MILLION	47,972	47,972
123	PHYSICAL SECURITY VEHICLES	1,171	1,171
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	19,693	19,693
125	FIRST DESTINATION TRANSPORTATION	4,956	4,956
126	SPECIAL PURPOSE SUPPLY SYSTEMS	668,639	668,639
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	4,026	4,026
128	TRAINING AND EDUCATION EQUIPMENT	73,454	73,454
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	32,390	32,390
130	MEDICAL SUPPORT EQUIPMENT	974	974
132	NAVAL MIP SUPPORT EQUIPMENT	5,606	5,606
133	OPERATING FORCES SUPPORT EQUIPMENT	16,024	16,024
134	C4ISR EQUIPMENT	6,697	6,697
135	ENVIRONMENTAL SUPPORT EQUIPMENT	27,503	27,503
136	PHYSICAL SECURITY EQUIPMENT	138,281	138,281
137	ENTERPRISE INFORMATION TECHNOLOGY	42,680	42,680
	OTHER		
140	NEXT GENERATION ENTERPRISE SERVICE	184,443	184,443
141	CYBERSPACE ACTIVITIES	16,523	16,523
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	18,446	18,446
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	374,195	374,195
	TOTAL OTHER PROCUREMENT, NAVY	10,948,518	10,576,218
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	87,476	87,476
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	478,874	478,874
3	LAV PIP	41,988	41,988
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	59	59
5	ARTILLERY WEAPONS SYSTEM	174,687	234,287
	Ground-Based Anti-Ship Missile NSM		[59,600]
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	24,867	24,867
	OTHER SUPPORT		
7	MODIFICATION KITS	3,067	3,067
	GUIDED MISSILES		
8	GROUND BASED AIR DEFENSE	18,920	18,920
9	ANTI-ARMOR MISSILE-JAVELIN	19,888	19,888
10	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,891	21,891
11	ANTI-ARMOR MISSILE-TOW	34,985	34,985
12	GUIDED MLRS ROCKET (GMLRS)	133,689	133,689
	COMMAND AND CONTROL SYSTEMS		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,057	35,057
	REPAIR AND TEST EQUIPMENT		
14	REPAIR AND TEST EQUIPMENT	24,405	24,405
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	1,006	1,006
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
16	ITEMS UNDER \$5 MILLION (COMM & ELEC)	69,725	69,725
17	AIR OPERATIONS C2 SYSTEMS	15,611	15,611
	RADAR + EQUIPMENT (NON-TEL)		
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	284,283	284,283
	INTELL/COMM EQUIPMENT (NON-TEL)		
20	GCSS-MC	1,587	1,587

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
21	FIRE SUPPORT SYSTEM	24,934	24,934
22	INTELLIGENCE SUPPORT EQUIPMENT	50,728	50,728
24	UNMANNED AIR SYSTEMS (INTEL)	24,853	24,853
25	DCGS-MC	38,260	38,260
26	UAS PAYLOADS	5,489	5,489
	OTHER SUPPORT (NON-TEL)		
29	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	78,922	78,922
30	COMMON COMPUTER RESOURCES	35,349	35,349
31	COMMAND POST SYSTEMS	33,713	33,713
32	RADIO SYSTEMS	343,250	343,250
33	COMM SWITCHING & CONTROL SYSTEMS	40,627	40,627
34	COMM & ELEC INFRASTRUCTURE SUPPORT	43,782	43,782
35	CYBERSPACE ACTIVITIES	53,896	53,896
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	3,797	3,797
	ADMINISTRATIVE VEHICLES		
37	COMMERCIAL CARGO VEHICLES	22,460	22,460
	TACTICAL VEHICLES		
38	MOTOR TRANSPORT MODIFICATIONS	10,739	10,739
39	JOINT LIGHT TACTICAL VEHICLE	381,675	381,675
40	FAMILY OF TACTICAL TRAILERS	2,963	2,963
	ENGINEER AND OTHER EQUIPMENT		
42	ENVIRONMENTAL CONTROL EQUIP ASSORT	385	385
43	TACTICAL FUEL SYSTEMS	501	501
44	POWER EQUIPMENT ASSORTED	23,430	23,430
45	AMPHIBIOUS SUPPORT EQUIPMENT	5,752	5,752
46	EOD SYSTEMS	20,939	20,939
	MATERIALS HANDLING EQUIPMENT		
47	PHYSICAL SECURITY EQUIPMENT	23,063	23,063
	GENERAL PROPERTY		
48	FIELD MEDICAL EQUIPMENT	4,187	4,187
49	TRAINING DEVICES	101,765	101,765
50	FAMILY OF CONSTRUCTION EQUIPMENT	19,305	19,305
51	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	678	678
	OTHER SUPPORT		
52	ITEMS LESS THAN \$5 MILLION	9,174	9,174
	SPARES AND REPAIR PARTS		
53	SPARES AND REPAIR PARTS	27,295	27,295
	TOTAL PROCUREMENT, MARINE CORPS	2,903,976	2,963,576
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
1	F-35	4,567,018	5,543,685
	Additional 12 F-35As		[976,667]
2	F-35	610,800	610,800
4	F-15EX	1,269,847	1,269,847
5	F-15EX	133,500	133,500
	TACTICAL AIRLIFT		
7	KC-46A MDAP	2,850,151	2,850,151
	OTHER AIRLIFT		
8	C-130J	37,131	37,131
10	MC-130J	362,807	362,807
11	MC-130J	39,987	39,987
	HELICOPTERS		
12	UH-1N REPLACEMENT	194,016	194,016
13	COMBAT RESCUE HELICOPTER	973,473	973,473
	MISSION SUPPORT AIRCRAFT		
15	CIVIL AIR PATROL A/C	2,811	2,811
	OTHER AIRCRAFT		
16	TARGET DRONES	133,273	133,273
18	COMPASS CALL	161,117	161,117
20	MQ-9	29,409	79,409
	Program increase		[50,000]
	STRATEGIC AIRCRAFT		
22	B-1	3,853	0
	USAF-requested transfer to RDAF Line 174		[-3,853]
23	B-2A	31,476	31,476
24	B-1B	21,808	21,315
	USAF-requested transfer to RDAF Line 174		[-493]
25	B-52	53,949	53,949
26	LARGE AIRCRAFT INFRARED COUNTERMEASURES	9,999	9,999
	TACTICAL AIRCRAFT		
27	A-10	135,793	135,793
28	E-11 BACN/HAG	33,645	33,645
29	F-15	349,304	349,304
30	F-16	615,760	640,760
	Additional radars		[25,000]
32	F-22A	387,905	387,905

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
33	F-35 MODIFICATIONS	322,185	322,185
34	F-15 EPAW	31,995	31,995
35	INCREMENT 3.2B	5,889	5,889
36	KC-46A MDAP	24,085	24,085
	AIRLIFT AIRCRAFT		
37	C-5	62,108	62,108
38	C-17A	66,798	66,798
40	C-32A	2,947	2,947
41	C-37A	12,985	12,985
	TRAINER AIRCRAFT		
42	GLIDER MODS	977	977
43	T-6	26,829	26,829
44	T-1	4,465	4,465
45	T-38	36,806	44,506
	T-38 ejection seats		[7,700]
	OTHER AIRCRAFT		
46	U-2 MODS	110,618	110,618
47	KC-10A (ATCA)	117	117
49	VC-25A MOD	1,983	1,983
50	C-40	9,252	9,252
51	C-130	5,871	5,871
52	C-130J MODS	140,032	140,032
53	C-135	88,250	88,250
55	COMPASS CALL	193,389	193,389
57	RC-135	191,332	191,332
58	E-3	172,141	172,141
59	E-4	58,803	44,103
	Funds rephased to future fiscal years		[-14,700]
60	E-8	11,037	21,037
	Secure information transmission capability		[10,000]
61	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	53,343	53,343
62	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	1,573	1,573
63	H-1	4,410	4,410
64	H-60	44,538	44,538
65	RQ-4 MODS	40,468	40,468
66	HC/MC-130 MODIFICATIONS	20,780	20,780
67	OTHER AIRCRAFT	100,774	100,774
68	MQ-9 MODS	188,387	188,387
70	CV-22 MODS	122,306	127,306
	CV-22 ABSS		[5,000]
	AIRCRAFT SPARES AND REPAIR PARTS		
71	INITIAL SPARES/REPAIR PARTS	926,683	956,683
	F-35A initial spares increase		[30,000]
	COMMON SUPPORT EQUIPMENT		
73	AIRCRAFT REPLACEMENT SUPPORT EQUIP	132,719	132,719
	POST PRODUCTION SUPPORT		
74	B-2A	1,683	1,683
75	B-2B	46,734	46,734
76	B-52	1,034	1,034
79	E-11 BACN/HAG	63,419	63,419
80	F-15	2,632	2,632
81	F-16	14,163	14,163
83	OTHER AIRCRAFT	4,595	4,595
84	RQ-4 POST PRODUCTION CHARGES	32,585	32,585
	INDUSTRIAL PREPAREDNESS		
85	INDUSTRIAL RESPONSIVENESS	18,215	18,215
	WAR CONSUMABLES		
86	WAR CONSUMABLES	36,046	36,046
	OTHER PRODUCTION CHARGES		
87	OTHER PRODUCTION CHARGES	1,439,640	1,514,640
	Classified increase		[75,000]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	21,692	21,692
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	17,908,145	19,068,466
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	75,012	75,012
	TACTICAL		
2	REPLAC EQUIP & WAR CONSUMABLES	4,495	4,495
4	JOINT AIR-SURFACE STANDOFF MISSILE	475,949	400,949
	Realignment to support NDS requirements in Pacific		[-75,000]
5	LRASM0	19,800	94,800
	Additional Air Force LRASM missiles		[75,000]
6	SIDEWINDER (AIM-9X)	164,769	164,769
7	AMRAAM	453,223	453,223
8	PREDATOR HELLFIRE MISSILE	40,129	40,129
9	SMALL DIAMETER BOMB	45,475	45,475

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
10	SMALL DIAMETER BOMB II	273,272	273,272
	INDUSTRIAL FACILITIES		
11	INDUSTRI'L PREPAREDNS/POL PREVENTION	814	814
	CLASS IV		
13	ICBM FUZE MOD	3,458	3,458
14	ICBM FUZE MOD AP	43,450	43,450
15	MM III MODIFICATIONS	85,310	85,310
16	AGM-65D MAVERICK	298	298
17	AIR LAUNCH CRUISE MISSILE (ALCM)	52,924	52,924
	MISSILE SPARES AND REPAIR PARTS		
18	MSL SPRS/REPAIR PARTS (INITIAL)	9,402	9,402
19	MSL SPRS/REPAIR PARTS (REPLEN)	84,671	84,671
	SPECIAL PROGRAMS		
25	SPECIAL UPDATE PROGRAMS	23,501	23,501
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	540,465	540,465
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,396,417	2,396,417
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
1	ADVANCED EHF	14,823	14,823
2	AF SATELLITE COMM SYSTEM	48,326	48,326
3	COUNTERSPACE SYSTEMS	63,540	63,540
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	66,190	66,190
5	GENERAL INFORMATION TECH—SPACE	3,299	3,299
6	GPSIII FOLLOW ON	627,796	627,796
7	GPS III SPACE SEGMENT	20,122	20,122
8	GLOBAL POSITIONING (SPACE)	2,256	2,256
9	SPACEBORNE EQUIP (COMSEC)	35,495	35,495
10	MILSATCOM	15,795	15,795
11	SBIR HIGH (SPACE)	160,891	160,891
12	SPECIAL SPACE ACTIVITIES	78,387	78,387
13	NATIONAL SECURITY SPACE LAUNCH	1,043,171	1,043,171
14	NUDET DETECTION SYSTEM	6,638	6,638
15	ROCKET SYSTEMS LAUNCH PROGRAM	47,741	47,741
16	SPACE FENCE	11,279	11,279
17	SPACE MODS	96,551	109,051
	Cobra Dane service life extension		[12,500]
18	SPACELIFT RANGE SYSTEM SPACE	100,492	100,492
	SPARES		
19	SPARES AND REPAIR PARTS	1,272	1,272
	TOTAL PROCUREMENT, SPACE FORCE	2,446,064	2,458,564
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	14,962	14,962
	CARTRIDGES		
2	CARTRIDGES	123,365	123,365
	BOMBS		
3	PRACTICE BOMBS	59,725	59,725
6	JOINT DIRECT ATTACK MUNITION	206,989	206,989
7	B61	35,634	35,634
	OTHER ITEMS		
9	CAD/PAD	47,830	47,830
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,232	6,232
11	SPARES AND REPAIR PARTS	542	542
12	MODIFICATIONS	1,310	1,310
13	ITEMS LESS THAN \$5,000,000	4,753	4,753
	FLARES		
15	FLARES	40,088	40,088
	FUZES		
16	FUZES	40,983	40,983
	SMALL ARMS		
17	SMALL ARMS	13,925	13,925
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	596,338	596,338
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	9,016	9,016
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	15,058	15,058
3	CAP VEHICLES	1,059	1,059
4	CARGO AND UTILITY VEHICLES	38,920	38,920
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	30,544	30,544
6	SECURITY AND TACTICAL VEHICLES	319	319
7	SPECIAL PURPOSE VEHICLES	43,157	43,157
	FIRE FIGHTING EQUIPMENT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	8,621	8,621
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	12,897	12,897
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	3,577	3,577
11	BASE MAINTENANCE SUPPORT VEHICLES	43,095	43,095
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	54,864	54,864
	INTELLIGENCE PROGRAMS		
14	INTERNATIONAL INTEL TECH & ARCHITECTURES	9,283	10,783
	PDI: Mission Partner Environment BICES-X local upgrades		[1,500]
15	INTELLIGENCE TRAINING EQUIPMENT	6,849	6,849
16	INTELLIGENCE COMM EQUIPMENT	33,471	33,471
	ELECTRONICS PROGRAMS		
17	AIR TRAFFIC CONTROL & LANDING SYS	29,409	29,409
18	BATTLE CONTROL SYSTEM—FIXED	7,909	7,909
19	THEATER AIR CONTROL SYS IMPROVEMEN	32,632	32,632
20	WEATHER OBSERVATION FORECAST	33,021	33,021
21	STRATEGIC COMMAND AND CONTROL	31,353	31,353
22	CHEYENNE MOUNTAIN COMPLEX	10,314	10,314
23	MISSION PLANNING SYSTEMS	15,132	15,132
25	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,806	9,806
	SPCL COMM-ELECTRONICS PROJECTS		
26	GENERAL INFORMATION TECHNOLOGY	39,887	39,887
27	AF GLOBAL COMMAND & CONTROL SYS	2,602	2,602
29	MOBILITY COMMAND AND CONTROL	10,541	10,541
30	AIR FORCE PHYSICAL SECURITY SYSTEM	96,277	96,277
31	COMBAT TRAINING RANGES	195,185	195,185
32	MINIMUM ESSENTIAL EMERGENCY COMM N	29,664	29,664
33	WIDE AREA SURVEILLANCE (WAS)	59,633	59,633
34	C3 COUNTERMEASURES	105,584	105,584
36	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	899	899
38	THEATER BATTLE MGT C2 SYSTEM	3,392	3,392
39	AIR & SPACE OPERATIONS CENTER (AOC)	24,983	24,983
	AIR FORCE COMMUNICATIONS		
41	BASE INFORMATION TRANSPET INFRAST (BITI) WIRED	19,147	19,147
42	AFNET	84,515	84,515
43	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	6,185	6,185
44	USCENTCOM	19,649	19,649
45	USSTRATCOM	4,337	4,337
	ORGANIZATION AND BASE		
46	TACTICAL C-E EQUIPMENT	137,033	137,033
47	RADIO EQUIPMENT	15,264	15,264
49	BASE COMM INFRASTRUCTURE	132,281	146,281
	PDI: Mission Partner Environment PACNET		[14,000]
	MODIFICATIONS		
50	COMM ELECT MODS	21,471	21,471
	PERSONAL SAFETY & RESCUE EQUIP		
51	PERSONAL SAFETY AND RESCUE EQUIPMENT	49,578	49,578
	DEPOT PLANT-MTRLS HANDLING EQ		
52	POWER CONDITIONING EQUIPMENT	11,454	11,454
53	MECHANIZED MATERIAL HANDLING EQUIP	12,110	12,110
	BASE SUPPORT EQUIPMENT		
54	BASE PROCURED EQUIPMENT	21,142	21,142
55	ENGINEERING AND EOD EQUIPMENT	7,700	7,700
56	MOBILITY EQUIPMENT	18,266	22,966
	Insulation system for Air Force shelters		[4,700]
57	FUELS SUPPORT EQUIPMENT (FSE)	9,601	9,601
58	BASE MAINTENANCE AND SUPPORT EQUIPMENT	42,078	42,078
	SPECIAL SUPPORT PROJECTS		
60	DARP RC135	27,164	27,164
61	DCGS-AF	121,528	121,528
63	SPECIAL UPDATE PROGRAM	782,641	782,641
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	21,086,112	21,086,112
	SPARES AND REPAIR PARTS		
64	SPARES AND REPAIR PARTS (CYBER)	1,664	1,664
65	SPARES AND REPAIR PARTS	15,847	15,847
	TOTAL OTHER PROCUREMENT, AIR FORCE	23,695,720	23,715,920
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	1,398	1,398
	MAJOR EQUIPMENT, DCSA		
3	MAJOR EQUIPMENT	2,212	2,212
	MAJOR EQUIPMENT, DHRA		
5	PERSONNEL ADMINISTRATION	4,213	4,213
	MAJOR EQUIPMENT, DISA		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
11	INFORMATION SYSTEMS SECURITY	17,211	17,211
12	TELEPORT PROGRAM	29,841	29,841
13	JOINT FORCES HEADQUARTERS—DODIN	3,091	3,091
14	ITEMS LESS THAN \$5 MILLION	41,569	41,569
16	DEFENSE INFORMATION SYSTEM NETWORK	26,978	26,978
17	WHITE HOUSE COMMUNICATION AGENCY	44,161	44,161
18	SENIOR LEADERSHIP ENTERPRISE	35,935	35,935
19	JOINT REGIONAL SECURITY STACKS (JRSS)	88,741	77,641
	JRSS SIPR funding		[-11,100]
20	JOINT SERVICE PROVIDER	157,538	157,538
21	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,084	42,084
	MAJOR EQUIPMENT, DLA		
23	MAJOR EQUIPMENT	417,459	417,459
	MAJOR EQUIPMENT, DMACT		
24	MAJOR EQUIPMENT	7,993	7,993
	MAJOR EQUIPMENT, DODEA		
25	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,319	1,319
	MAJOR EQUIPMENT, DPAA		
26	MAJOR EQUIPMENT, DPAA	500	500
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
27	REGIONAL CENTER PROCUREMENT	1,598	1,598
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
28	VEHICLES	215	215
29	OTHER MAJOR EQUIPMENT	9,994	9,994
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
31	THAAD	495,396	601,796
	8th THAAD battery components		[76,300]
	HEMTT life-of-type buy		[30,100]
34	AEGIS BMD	356,195	356,195
35	AEGIS BMD AP	44,901	44,901
36	BMDS AN/TPY-2 RADARS	0	243,300
	8th THAAD battery radar equipment		[243,300]
37	SM-3 IAS	218,322	346,322
	Additional SM-3 Block IIA interceptors		[128,000]
38	ARROW 3 UPPER TIER SYSTEMS	77,000	77,000
39	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
40	AEGIS ASHORE PHASE III	39,114	39,114
41	IRON DOME	73,000	73,000
42	AEGIS BMD HARDWARE AND SOFTWARE	104,241	104,241
	MAJOR EQUIPMENT, NSA		
48	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	101	101
	MAJOR EQUIPMENT, OSD		
49	MAJOR EQUIPMENT, OSD	3,099	3,099
	MAJOR EQUIPMENT, TJS		
50	MAJOR EQUIPMENT, TJS	8,329	8,329
51	MAJOR EQUIPMENT—TJS CYBER	1,247	1,247
	MAJOR EQUIPMENT, WHS		
53	MAJOR EQUIPMENT, WHS	515	515
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	554,264	554,264
	AVIATION PROGRAMS		
55	ARMED OVERWATCH/TARGETING	101,000	0
	Lack of validated requirement and analysis		[-101,000]
56	MANNED ISR	0	40,100
	SOCOM DHC-8 combat loss replacement		[40,100]
59	ROTARY WING UPGRADES AND SUSTAINMENT	211,041	211,041
60	UNMANNED ISR	25,488	25,488
61	NON-STANDARD AVIATION	61,874	61,874
62	U-28	3,825	28,525
	SOCOM aircraft maintenance support combat loss replacement		[24,700]
63	MH-47 CHINOOK	135,482	135,482
64	CV-22 MODIFICATION	14,829	14,829
65	MQ-9 UNMANNED AERIAL VEHICLE	6,746	6,746
66	PRECISION STRIKE PACKAGE	243,111	243,111
67	AC/MC-130J	163,914	163,914
68	C-130 MODIFICATIONS	20,414	20,414
	SHIPBUILDING		
69	UNDERWATER SYSTEMS	20,556	20,556
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <\$5M	186,197	186,197
	OTHER PROCUREMENT PROGRAMS		
71	INTELLIGENCE SYSTEMS	94,982	108,382
	Transfer from MMP-Light to man-pack		[13,400]
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	11,645	11,645
73	OTHER ITEMS <\$5M	96,333	96,333
74	COMBATANT CRAFT SYSTEMS	17,278	17,278
75	SPECIAL PROGRAMS	78,865	78,865
76	TACTICAL VEHICLES	30,158	30,158

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
77	WARRIOR SYSTEMS <\$5M	260,733	248,533
	MMP-Light unexecutable, transfer to man-pack		[-12,200]
78	COMBAT MISSION REQUIREMENTS	19,848	19,848
79	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	2,401	2,401
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	13,861	13,861
81	OPERATIONAL ENHANCEMENTS	247,038	259,538
	SOCOM Syria exfiltration reconsitution		[12,500]
	CBDP		
82	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	147,150	147,150
83	CB PROTECTION & HAZARD MITIGATION	149,944	149,944
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,324,487	5,768,587
	TOTAL PROCUREMENT	130,684,160	134,014,838

1 SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY

2 OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	ROTARY		
9	AH-64 APACHE BLOCK IIIB NEW BUILD	69,154	69,154
14	CH-47 HELICOPTER	50,472	50,472
	MODIFICATION OF AIRCRAFT		
17	MQ-1 PAYLOAD (MIP)	5,968	5,968
20	MULTI SENSOR ABN RECON (MIP)	122,520	122,520
25	EMARSS SEMA MODS (MIP)	26,460	26,460
30	DEGRADED VISUAL ENVIRONMENT	1,916	1,916
	GROUND SUPPORT AVIONICS		
37	CMWS	149,162	149,162
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	32,400	32,400
	OTHER SUPPORT		
41	AIRCREW INTEGRATED SYSTEMS	3,028	3,028
	TOTAL AIRCRAFT PROCUREMENT, ARMY	461,080	461,080
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
2	M-SHORAD—PROCUREMENT	158,300	158,300
3	MSE MISSILE	176,585	0
	Inappropriate for EDI, transfer to base		[-176,585]
	AIR-TO-SURFACE MISSILE SYSTEM		
6	HELLFIRE SYS SUMMARY	236,265	236,265
	ANTI-TANK/ASSAULT MISSILE SYS		
11	GUIDED MLRS ROCKET (GMLRS)	127,015	127,015
15	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	84,993	84,993
	MODIFICATIONS		
17	ATACMS MODS	78,434	78,434
22	MLRS MODS	20,000	20,000
	TOTAL MISSILE PROCUREMENT, ARMY	881,592	705,007
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	4,765	4,765
18	MORTAR SYSTEMS	10,460	10,460
	TOTAL PROCUREMENT OF W&TCV, ARMY	15,225	15,225
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	567	567
2	CTG, 7.62MM, ALL TYPES	40	40
4	CTG, HANDGUN, ALL TYPES	17	17
5	CTG, .50 CAL, ALL TYPES	189	189
8	CTG, 30MM, ALL TYPES	24,900	24,900
	ARTILLERY AMMUNITION		
16	PROJ 155MM EXTENDED RANGE M982	29,213	29,213
17	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	21,675	21,675
	ROCKETS		
20	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	176	176
21	ROCKET, HYDRA 70, ALL TYPES	33,880	33,880
	MISCELLANEOUS		
29	ITEMS LESS THAN \$5 MILLION (AMMO)	11	11

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	110,668	110,668
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
13	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	6,500	6,500
14	PLS ESP	15,163	15,163
17	TACTICAL WHEELED VEHICLE PROTECTION KITS	27,066	27,066
	COMM—SATELLITE COMMUNICATIONS		
30	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	2,700	2,700
32	ASSURED POSITIONING, NAVIGATION AND TIMING	12,566	12,566
33	SMART-T (SPACE)	289	289
34	GLOBAL BRDCST SVC—GBS	319	319
	COMM—COMBAT COMMUNICATIONS		
45	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,257	1,257
	COMM—INTELLIGENCE COMM		
48	CI AUTOMATION ARCHITECTURE (MIP)	1,230	1,230
	INFORMATION SECURITY		
52	COMMUNICATIONS SECURITY (COMSEC)	128	128
	COMM—BASE COMMUNICATIONS		
58	INFORMATION SYSTEMS	15,277	15,277
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	74,004	80,004
	EDI: NATO Response Force (NRF) networks		[6,000]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
68	DCGS-A (MIP)	47,709	47,709
70	TROJAN (MIP)	1,766	1,766
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	61,450	61,450
73	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	12,337	12,337
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
80	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	44,293	44,293
81	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	49,100	49,100
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
83	SENTINEL MODS	33,496	33,496
84	NIGHT VISION DEVICES	643	643
87	RADIATION MONITORING SYSTEMS	11	11
88	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	37,000	37,000
94	COMPUTER BALLISTICS: LHMCB XM32	280	280
95	MORTAR FIRE CONTROL SYSTEM	13,672	13,672
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	15,143	15,143
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	4,688	4,688
110	AUTOMATED DATA PROCESSING EQUIP	16,552	16,552
	CHEMICAL DEFENSIVE EQUIPMENT		
121	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
122	BASE DEFENSE SYSTEMS (BDS)	98,960	98,960
123	CBRN DEFENSE	18,887	18,887
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	50,400	50,400
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
137	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	370	370
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	3,721	3,721
145	FORCE PROVIDER	56,400	129,800
	EDI: Improvements to living quarters for rotational forces in Europe		[73,400]
146	FIELD FEEDING EQUIPMENT	2,279	2,279
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,040	2,040
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	4,374	4,374
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	6,390	6,390
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	7,769	7,769
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	184	184
	CONSTRUCTION EQUIPMENT		
156	LOADERS	3,190	3,190
157	HYDRAULIC EXCAVATOR	7,600	7,600
158	TRACTOR, FULL TRACKED	7,450	7,450
160	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	3,703	3,703
162	CONST EQUIP ESP	657	657
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	106	106
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	1,885	1,885
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
181	PHYSICAL SECURITY SYSTEMS (OPA3)	3,248	3,248
185	BUILDING, PRE-FAB, RELOCATABLE	31,845	31,845

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	TOTAL OTHER PROCUREMENT, ARMY	924,077	1,003,477
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
24	STUASL0 UAV	7,921	7,921
	MODIFICATION OF AIRCRAFT		
53	COMMON ECM EQUIPMENT	3,474	3,474
55	COMMON DEFENSIVE WEAPON SYSTEM	3,339	3,339
64	QRC	18,507	18,507
	TOTAL AIRCRAFT PROCUREMENT, NAVY	33,241	33,241
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
12	HELLFIRE	5,572	5,572
	TOTAL WEAPONS PROCUREMENT, NAVY	5,572	5,572
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	8,068	8,068
2	JDAM	15,529	15,529
3	AIRBORNE ROCKETS, ALL TYPES	23,000	23,000
4	MACHINE GUN AMMUNITION	22,600	22,600
6	CARTRIDGES & CART ACTUATED DEVICES	3,927	3,927
7	AIR EXPENDABLE COUNTERMEASURES	15,978	15,978
8	JATOS	2,100	2,100
11	OTHER SHIP GUN AMMUNITION	2,611	2,611
12	SMALL ARMS & LANDING PARTY AMMO	1,624	1,624
13	PYROTECHNIC AND DEMOLITION	505	505
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	95,942	95,942
	OTHER PROCUREMENT, NAVY		
	SMALL BOATS		
28	STANDARD BOATS	19,104	19,104
	OTHER SHIP SUPPORT		
35	SMALL & MEDIUM UUV	2,946	2,946
	ASW ELECTRONIC EQUIPMENT		
43	FIXED SURVEILLANCE SYSTEM	213,000	213,000
	SONOBUOYS		
92	SONOBUOYS—ALL TYPES	26,196	26,196
	AIRCRAFT SUPPORT EQUIPMENT		
95	AIRCRAFT SUPPORT EQUIPMENT	60,217	60,217
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	2,124	2,124
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	177	177
116	GENERAL PURPOSE TRUCKS	416	416
118	FIRE FIGHTING EQUIPMENT	801	801
	SUPPLY SUPPORT EQUIPMENT		
125	FIRST DESTINATION TRANSPORTATION	520	520
	TRAINING DEVICES		
128	TRAINING AND EDUCATION EQUIPMENT	11,500	11,500
	COMMAND SUPPORT EQUIPMENT		
130	MEDICAL SUPPORT EQUIPMENT	3,525	3,525
136	PHYSICAL SECURITY EQUIPMENT	3,000	3,000
	TOTAL OTHER PROCUREMENT, NAVY	343,526	343,526
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
12	GUIDED MLRS ROCKET (GMLRS)	17,456	17,456
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	4,200	4,200
	INTELL/COMM EQUIPMENT (NON-TEL)		
22	INTELLIGENCE SUPPORT EQUIPMENT	10,124	10,124
	TACTICAL VEHICLES		
38	MOTOR TRANSPORT MODIFICATIONS	16,183	16,183
	TOTAL PROCUREMENT, MARINE CORPS	47,963	47,963
	AIRCRAFT PROCUREMENT, AIR FORCE		
	HELICOPTERS		
13	COMBAT RESCUE HELICOPTER	174,000	174,000
	OTHER AIRCRAFT		
20	MQ-9	142,490	142,490
21	RQ-20B PUMA	13,770	13,770
	STRATEGIC AIRCRAFT		
26	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,521	57,521
	OTHER AIRCRAFT		
46	U-2 MODS	9,600	9,600
55	COMPASS CALL	12,800	12,800

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
66	HC/MC-130 MODIFICATIONS	58,020	58,020
69	MQ-9 UAS PAYLOADS	46,100	46,100
70	CV-22 MODS	6,290	6,290
	AIRCRAFT SPARES AND REPAIR PARTS		
71	INITIAL SPARES/REPAIR PARTS	10,700	10,700
72	MQ-9	12,250	12,250
	COMMON SUPPORT EQUIPMENT		
73	AIRCRAFT REPLACEMENT SUPPORT EQUIP	25,614	25,614
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	569,155	569,155
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
4	JOINT AIR-SURFACE STANDOFF MISSILE	30,000	30,000
8	PREDATOR HELLFIRE MISSILE	143,420	143,420
9	SMALL DIAMETER BOMB	50,352	50,352
	TOTAL MISSILE PROCUREMENT, AIR FORCE	223,772	223,772
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	19,489	19,489
	CARTRIDGES		
2	CARTRIDGES	40,434	40,434
	BOMBS		
4	GENERAL PURPOSE BOMBS	369,566	369,566
6	JOINT DIRECT ATTACK MUNITION	237,723	237,723
	FLARES		
15	FLARES	21,171	21,171
	FUZES		
16	FUZES	107,855	107,855
	SMALL ARMS		
17	SMALL ARMS	6,217	6,217
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	802,455	802,455
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	1,302	1,302
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	3,400	3,400
4	CARGO AND UTILITY VEHICLES	12,475	12,475
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	26,150	26,150
7	SPECIAL PURPOSE VEHICLES	51,254	51,254
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	24,903	24,903
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	14,167	14,167
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	5,759	5,759
11	BASE MAINTENANCE SUPPORT VEHICLES	20,653	20,653
	SPCL COMM-ELECTRONICS PROJECTS		
26	GENERAL INFORMATION TECHNOLOGY	5,100	5,100
30	AIR FORCE PHYSICAL SECURITY SYSTEM	56,496	56,496
	ORGANIZATION AND BASE		
49	BASE COMM INFRASTRUCTURE	30,717	30,717
	BASE SUPPORT EQUIPMENT		
55	ENGINEERING AND EOD EQUIPMENT	13,172	13,172
56	MOBILITY EQUIPMENT	33,694	33,694
57	FUELS SUPPORT EQUIPMENT (FSE)	1,777	1,777
58	BASE MAINTENANCE AND SUPPORT EQUIPMENT	31,620	31,620
	SPECIAL SUPPORT PROJECTS		
61	DCGS-AF	18,700	18,700
	SPARES AND REPAIR PARTS		
65	SPARES AND REPAIR PARTS	4,000	4,000
	TOTAL OTHER PROCUREMENT, AIR FORCE	355,339	355,339
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
16	DEFENSE INFORMATION SYSTEM NETWORK	6,120	6,120
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
30	COUNTER IMPROVISED THREAT TECHNOLOGIES	2,540	2,540
	CLASSIFIED PROGRAMS	3,500	3,500
	CLASSIFIED PROGRAMS		
	AVIATION PROGRAMS		
56	MANNED ISR	5,000	5,000
57	MC-12	5,000	5,000
60	UNMANNED ISR	8,207	8,207
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <\$5M	105,355	105,355

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
OTHER PROCUREMENT PROGRAMS			
71	INTELLIGENCE SYSTEMS	16,234	16,234
73	OTHER ITEMS <\$5M	984	984
76	TACTICAL VEHICLES	2,990	2,990
77	WARRIOR SYSTEMS <\$5M	32,573	32,573
78	COMBAT MISSION REQUIREMENTS	10,000	10,000
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	6,724	6,724
81	OPERATIONAL ENHANCEMENTS	53,264	53,264
	TOTAL PROCUREMENT, DEFENSE-WIDE	258,491	258,491
	TOTAL PROCUREMENT	5,128,098	5,030,913

1 **TITLE XLII—RESEARCH, DEVEL-**
 2 **OPMENT, TEST, AND EVALUA-**
 3 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2021 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
2	0601102A	DEFENSE RESEARCH SCIENCES	303,257	315,257
		AI human performance optimization		[2,000]
		Increase in basic research		[10,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	67,148	67,148
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	87,877	87,877
5	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,077	5,077
		SUBTOTAL BASIC RESEARCH	463,359	475,359
APPLIED RESEARCH				
7	0602115A	BIOMEDICAL TECHNOLOGY	11,835	15,835
		Pandemic vaccine response		[4,000]
11	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	2,000	2,000
12	0602141A	LETHALITY TECHNOLOGY	42,425	45,425
		Hybrid additive manufacturing		[3,000]
13	0602142A	ARMY APPLIED RESEARCH	30,757	33,757
		Pathfinder Air Assault		[3,000]
14	0602143A	SOLDIER LETHALITY TECHNOLOGY	125,435	135,935
		Harnessing Emerging Research Opportunities to Empower Sol- diers Program. Metal-based display technologies		[2,500] [3,000]
		Pathfinder Airborne		[5,000]
15	0602144A	GROUND TECHNOLOGY	28,047	30,047
		Ground technology advanced manufacturing, materials and pro- cess initiative. Next Generation Combat Vehicle Technology		[2,000] [2,000]
16	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	217,565	227,565
		Ground combat vehicle platform electrification		[2,000]
		Immersive virtual modeling and simulation techniques		[5,000]
		Next Generation Combat Vehicle modeling and simulation		[3,000]
17	0602146A	NETWORK C3I TECHNOLOGY	114,404	126,404
		Backpackable Communications Intelligence System		[5,000]
		Defense resiliency platform against extreme cold weather		[3,000]
		Multi-drone multi-sensor ISR capability		[2,000]
		Quantum computing base materials optimization		[2,000]
18	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	60,553	67,553
		Composite artillery tube and propulsion prototyping		[7,000]
19	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	96,484	96,484
20	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	56,298	66,298
		Counter unmanned aerial systems threat R&D		[5,000]
		Counter unmanned aircraft systems research		[5,000]
22	0602213A	C3I APPLIED CYBER	18,816	18,816
40	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,766	20,766
42	0602787A	MEDICAL TECHNOLOGY	95,496	97,496

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		Research for coronavirus vaccine		[2,000]
		SUBTOTAL APPLIED RESEARCH	920,881	984,381
		ADVANCED TECHNOLOGY DEVELOPMENT		
44	0603002A	MEDICAL ADVANCED TECHNOLOGY	38,896	38,896
49	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	11,659	11,659
52	0603115A	MEDICAL DEVELOPMENT	27,723	27,723
53	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	62,663	62,663
54	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	109,608	111,608
		3D advanced manufacturing		[2,000]
55	0603119A	GROUND ADVANCED TECHNOLOGY	14,795	20,795
		Cybersecurity for industrial control systems and building automation.		[3,000]
		Graphene applications for military engineering		[3,000]
59	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	25,000	25,000
63	0603457A	C3I CYBER ADVANCED DEVELOPMENT	23,357	23,357
64	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	188,024	193,024
		High performance computing modernization		[5,000]
65	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	199,358	226,858
		Carbon fiber and graphitic composites		[10,000]
		Cyber and connected vehicle innovation research		[5,000]
		Small unit ground robotic capabilities		[7,500]
		Virtual experimentations enhancement		[5,000]
66	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	158,608	158,608
67	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	121,060	124,060
		Hyper velocity projectile—extended range technologies		[3,000]
68	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	156,194	156,194
69	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	58,130	73,630
		Electromagnetic effects research to support fires and AMD CFTs		[5,000]
		High-energy laser system characterization lab		[10,500]
77	0603920A	HUMANITARIAN DEMINING	8,515	8,515
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,203,590	1,262,590
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
78	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,062	14,062
		Hypersonic hot air tunnel test environment		[3,000]
79	0603308A	ARMY SPACE SYSTEMS INTEGRATION	26,230	26,230
80	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	26,482	26,482
81	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	64,092	64,092
83	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	92,753	92,753
84	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	151,478	151,478
85	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	5,841	5,841
86	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	194,775	194,775
87	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	24,316	24,316
88	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEMA/VAL	13,387	13,387
89	0603790A	NATO RESEARCH AND DEVELOPMENT	4,762	4,762
90	0603801A	AVIATION—ADV DEV	647,937	652,937
		Future Long Range Assault Aircraft (FLRAA)		[5,000]
91	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	4,761	4,761
92	0603807A	MEDICAL SYSTEMS—ADV DEV	28,520	28,520
93	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	26,138	26,138
94	0604017A	ROBOTICS DEVELOPMENT	121,207	121,207
96	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP)	22,840	22,840
97	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	22,678	22,678
98	0604100A	ANALYSIS OF ALTERNATIVES	10,082	10,082
99	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	1,378	1,378
100	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).	40,083	40,083
101	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	376,373	376,373
102	0604115A	TECHNOLOGY MATURATION INITIATIVES	156,834	146,834
		OpFires lack of transition pathway		[-10,000]
103	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	4,995	4,995
105	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	170,490	170,490
106	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) ...	128,125	128,125
107	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	129,547	129,547
108	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	13,831	13,831
109	0604182A	HYPERSONICS	801,417	796,417
		Lack of hypersonic prototyping coordination		[-5,000]
111	0604403A	FUTURE INTERCEPTOR	7,992	7,992
112	0604541A	UNIFIED NETWORK TRANSPORT	40,677	40,677

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
115	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT ..	50,525	50,525
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	3,421,608	3,414,608
		SYSTEM DEVELOPMENT & DEMONSTRATION		
118	0604201A	AIRCRAFT AVIONICS	2,764	2,764
119	0604270A	ELECTRONIC WARFARE DEVELOPMENT	62,426	62,426
121	0604601A	INFANTRY SUPPORT WEAPONS	91,574	91,574
122	0604604A	MEDIUM TACTICAL VEHICLES	8,523	8,523
123	0604611A	JAVELIN	7,493	7,493
124	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	24,792	24,792
125	0604633A	AIR TRAFFIC CONTROL	3,511	3,511
126	0604642A	LIGHT TACTICAL WHEELED VEHICLES	1,976	1,976
127	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	135,488	135,488
128	0604710A	NIGHT VISION SYSTEMS—ENG DEV	61,445	61,445
129	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,814	2,814
130	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	28,036	28,036
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	43,651	83,651
		Joint Counter-UAS Office acceleration		[17,500]
		Joint Counter-UAS Office SOCOM advanced capabilities		[7,500]
		Joint Counter-UAS Office SOCOM demonstrations		[15,000]
132	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	10,150	10,150
133	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	5,578	5,578
134	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	7,892	7,892
135	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	24,975	24,975
136	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	3,568	3,568
137	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	19,268	19,268
138	0604802A	WEAPONS AND MUNITIONS—ENG DEV	265,811	266,611
		Increase NGSW soldier touchpoints		[800]
139	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	49,694	49,694
140	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	11,079	11,079
141	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	49,870	49,870
142	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	9,589	9,589
143	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	162,513	162,513
144	0604820A	RADAR DEVELOPMENT	109,259	109,259
145	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	21,201	21,201
146	0604823A	FIREFINDER	20,008	20,008
147	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,534	6,534
148	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD Bradley and Stryker APS	82,459	129,459
				[47,000]
149	0604854A	ARTILLERY SYSTEMS—EMD	11,611	11,611
150	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	142,678	147,678
		Integrated data software pilot program		[5,000]
151	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	115,286	115,286
152	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	96,594	96,594
154	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,264	16,264
155	0605031A	JOINT TACTICAL NETWORK (JTN)	31,696	31,696
157	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E).	5,976	5,976
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	23,321	23,321
161	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	4,846	4,846
162	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	28,544	16,544
		Army Cyber SU program		[-12,000]
163	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,178	28,178
164	0605047A	CONTRACT WRITING SYSTEM	22,860	22,860
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	35,893	35,893
167	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1 Army-identified funding early to need	235,770	187,970
				[-47,800]
168	0605053A	GROUND ROBOTICS	13,710	13,710
169	0605054A	EMERGING TECHNOLOGY INITIATIVES	294,739	294,739
170	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT.	954	954
171	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	150,201	150,201
172	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	5,999	5,999
174	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	8,891	8,891
175	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	193,929	193,929
176	0605625A	MANNED GROUND VEHICLE	327,732	247,732
		OMFV program reset		[-80,000]
177	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,670	7,670
178	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	1,742	1,742
179	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,467	1,467

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
180	0303032A	TROJAN—RH12	3,451	3,451
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	55,855	55,855
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,199,798	3,152,798
		MANAGEMENT SUPPORT		
185	0604256A	THREAT SIMULATOR DEVELOPMENT	14,515	14,515
186	0604258A	TARGET SYSTEMS DEVELOPMENT	10,668	10,668
187	0604759A	MAJOR T&E INVESTMENT	106,270	106,270
188	0605103A	RAND ARROYO CENTER	13,481	13,481
189	0605301A	ARMY KWAJALEIN ATOLL	231,824	231,824
190	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	54,898	54,898
192	0605601A	ARMY TEST RANGES AND FACILITIES	350,359	365,359
		Program increase—Army directed energy T&E		[15,000]
193	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	48,475	48,475
194	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,001	36,001
195	0605606A	AIRCRAFT CERTIFICATION	2,736	2,736
196	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,488	6,488
197	0605706A	MATERIEL SYSTEMS ANALYSIS	21,859	21,859
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,936	7,936
199	0605712A	SUPPORT OF OPERATIONAL TESTING	54,470	54,470
200	0605716A	ARMY EVALUATION CENTER	63,141	63,141
201	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG ...	2,572	2,572
202	0605801A	PROGRAMWIDE ACTIVITIES	87,472	87,472
203	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,244	26,244
204	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	40,133	40,133
205	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,780	1,780
206	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,045	55,045
208	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	71,306	71,306
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,063	1,063
210	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	19,891	19,891
211	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	4,496	4,496
		SUBTOTAL MANAGEMENT SUPPORT	1,333,123	1,348,123
		OPERATIONAL SYSTEMS DEVELOPMENT		
214	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	10,157	10,157
216	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,682	8,682
217	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	20,409	20,409
219	0607134A	LONG RANGE PRECISION FIRES (LRPF)	122,733	115,233
		Excess funds due to second vendor dropped		[-7,500]
221	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	11,236	11,236
222	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	46,091	46,091
224	0607139A	IMPROVED TURBINE ENGINE PROGRAM	249,257	249,257
225	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	17,155	17,155
226	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	7,743	7,743
227	0607145A	APACHE FUTURE DEVELOPMENT	77,177	77,177
228	0607150A	INTEL CYBER DEVELOPMENT	14,652	14,652
229	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	35,851	35,851
230	0607665A	FAMILY OF BIOMETRICS	1,324	1,324
231	0607865A	PATRIOT PRODUCT IMPROVEMENT	187,840	187,840
232	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	44,691	44,691
233	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	268,919	268,919
234	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	427,254	427,254
235	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	11,688	11,688
236	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	80	80
237	0203758A	DIGITIZATION	4,516	4,516
238	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,288	1,288
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	79,424	79,424
243	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	259	259
244	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM ...	166	166
245	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,575	93,075
		Qualification of second SRM source		[17,500]
246	0208053A	JOINT TACTICAL GROUND SYSTEM	9,510	9,510
249	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	29,270	29,270
250	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	86,908	86,908
251	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,684	18,684
256	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	467	467
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	4,051	4,051
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	13,283	13,283
259	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	47,204	47,204
264	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,012	78,512

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		Functional fabrics manufacturing		[7,500]
		Nanoscale materials manufacturing		[5,000]
		Tungsten manufacturing for armaments		[5,000]
999	9999999999	CLASSIFIED PROGRAMS	3,983	3,983
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,998,539	2,026,039
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
267	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	46,445	46,445
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	46,445	46,445
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	12,587,343	12,710,343
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,816	118,816
		Defense University Research and Instrumentation Program		[2,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,113	19,113
3	0601153N	DEFENSE RESEARCH SCIENCES	467,158	480,158
		Increase in basic research		[10,000]
		Predictive modeling for undersea vehicles		[3,000]
		SUBTOTAL BASIC RESEARCH	603,087	618,087
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	17,792	17,792
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,281	140,281
		Direct air capture and blue carbon removal technology program ...		[8,000]
		Electric propulsion for military craft and advanced planning hulls		[2,000]
		Expeditionary unmanned systems launch and recovery		[5,000]
		Testbed for autonomous ship systems		[3,000]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	50,623	53,623
		Interdisciplinary cybersecurity research		[3,000]
7	0602235N	COMMON PICTURE APPLIED RESEARCH	48,001	48,001
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	67,765	74,765
		Humanoid robotics research		[4,000]
		Social networks and computational social science		[3,000]
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	84,994	84,994
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	63,392	63,392
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,343	6,343
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	56,397	63,897
		Navy and academia submarine partnerships		[7,500]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	167,590	167,590
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	30,715	30,715
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	160,537	167,837
		Thermoplastic materials		[7,300]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	76,745	76,745
		SUBTOTAL APPLIED RESEARCH	953,175	995,975
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	24,410	24,410
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,008	8,008
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) ...	219,045	222,045
		Mission planning advanced technology demonstration		[3,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	13,301	13,301
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	246,054	246,054
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,122	60,122
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,851	4,851
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	40,709	40,709
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	1,948	1,948
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	141,948	141,948
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	760,396	763,396
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
27	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS).	464,042	0
		Excess procurement ahead of satisfactory testing		[-464,042]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
28	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	35,386	35,386
29	0603216N	AVIATION SURVIVABILITY	13,428	13,428
30	0603239N	ISO NAVAL CONSTRUCTION FORCES	2,350	2,350
31	0603251N	AIRCRAFT SYSTEMS	418	418
32	0603254N	ASW SYSTEMS DEVELOPMENT	15,719	15,719
33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,411	3,411
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	70,218	56,118
		Project 3416: HJENKS insufficient schedule justification		[-7,000]
		Project 3422: SHARC excess platforms ahead of satisfactory testing.		[-7,100]
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTER-MEASURES.	52,358	24,158
		Project 2989: Barracuda program delay		[-28,200]
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	12,816	12,816
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,559	7,559
38	0603525N	PILOT FISH	358,757	358,757
39	0603527N	RETRACT LARCH	12,562	12,562
40	0603536N	RETRACT JUNIPER	148,000	148,000
41	0603542N	RADIOLOGICAL CONTROL	778	778
42	0603553N	SURFACE ASW	1,161	1,161
43	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	185,356	195,356
		Out-of-autoclave submarine technology development		[20,000]
		Project 9710: EDMs early to need		[-10,000]
44	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,528	10,528
45	0603563N	SHIP CONCEPT ADVANCED DESIGN	126,396	63,296
		Project 2196: Future surface combatant early to need		[-19,100]
		Project 3161: Program increase for CBM+ initiative		[16,000]
		Project 4044: Medium amphibious ship early to need		[-30,000]
		Project 4045: Medium logistics ship early to need		[-30,000]
46	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	70,270	28,970
		Project 0411: LSC preliminary design and CDD early to need		[-41,300]
47	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	149,188	149,188
48	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	38,449	238,449
		Accelerate ITP to achieve full test capability in FY23		[75,000]
		Accelerate qualification of silicon carbide power modules		[10,000]
		USV autonomy development		[45,000]
		USV engine and generator qualification testing		[70,000]
49	0603576N	CHALK EAGLE	71,181	71,181
50	0603581N	LITTORAL COMBAT SHIP (LCS)	32,178	27,178
		Project 3096: Available prior year funds		[-5,000]
51	0603582N	COMBAT SYSTEM INTEGRATION	17,843	17,843
52	0603595N	OHIO REPLACEMENT	317,196	317,196
53	0603596N	LCS MISSION MODULES	67,875	32,875
		Project 2550: LCS MCM MP outdated IMS and TEMP		[-20,000]
		Project 2551: LCS ASW MP available prior year funds due to testing delays.		[-15,000]
54	0603597N	AUTOMATED TEST AND ANALYSIS	4,797	4,797
55	0603599N	FRIGATE DEVELOPMENT	82,309	82,309
56	0603609N	CONVENTIONAL MUNITIONS	9,922	2,122
		Project 0363: Insufficient justification		[-7,800]
57	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	189,603	189,603
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	43,084	43,084
59	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	6,346	6,346
60	0603721N	ENVIRONMENTAL PROTECTION	20,601	20,601
61	0603724N	NAVY ENERGY PROGRAM	23,422	23,422
62	0603725N	FACILITIES IMPROVEMENT	4,664	4,664
63	0603734N	CHALK CORAL	545,763	545,763
64	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,884	3,884
65	0603746N	RETRACT MAPLE	353,226	353,226
66	0603748N	LINK PLUMERIA	544,388	544,388
67	0603751N	RETRACT ELM	86,730	86,730
68	0603764M	LINK EVERGREEN	236,234	236,234
70	0603790N	NATO RESEARCH AND DEVELOPMENT	6,880	6,880
71	0603795N	LAND ATTACK TECHNOLOGY	10,578	10,578
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING	28,435	28,435
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	33,612	33,612
74	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	128,845	113,845
		Project 3402: Excess engineering and sustainment support		[-15,000]
75	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	84,190	84,190
76	0604027N	DIGITAL WARFARE OFFICE	54,699	54,699
77	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	53,942	53,942
78	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	40,060	40,060
79	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION..	12,100	12,100
80	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	78,122	42,122
		Project 2094: Excess procurement ahead of phase I testing		[-36,000]
81	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	107,895	107,895

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
82	0604126N	LITTORAL AIRBORNE MCM	17,366	17,366
83	0604127N	SURFACE MINE COUNTERMEASURES	18,754	18,754
84	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM).	59,776	59,776
86	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,097	5,097
87	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	3,664	3,664
88	0604454N	LX (R)	10,203	10,203
89	0604536N	ADVANCED UNDERSEA PROTOTYPING	115,858	95,858
		Orea UUV testing delay and uncertified test strategy		[-10,000]
		Snakehead UUV uncertified test strategy		[-10,000]
90	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	14,259	14,259
91	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	1,102,387	1,045,387
		Lack of hypersonic prototyping coordination		[-5,000]
		Project 3334: Excess Virginia-class CPS modification and installa- tion costs.		[-52,000]
92	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT.	7,657	7,657
93	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT.	35,750	35,750
94	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,151	9,151
95	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	22,589	22,589
97	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	809	809
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	6,503,074	5,926,532
		SYSTEM DEVELOPMENT & DEMONSTRATION		
98	0603208N	TRAINING SYSTEM AIRCRAFT	4,332	4,332
99	0604212N	OTHER HELO DEVELOPMENT	18,133	23,133
		Program increase for Attack and Utility Replacement Aircraft		[5,000]
100	0604214M	AV-8B AIRCRAFT—ENG DEV	20,054	20,054
101	0604215N	STANDARDS DEVELOPMENT	4,237	4,237
102	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	27,340	27,340
104	0604221N	P-3 MODERNIZATION PROGRAM	606	606
105	0604230N	WARFARE SUPPORT SYSTEM	9,065	9,065
106	0604231N	TACTICAL COMMAND SYSTEM	97,968	97,968
107	0604234N	ADVANCED HAWKEYE	309,373	309,373
108	0604245M	H-1 UPGRADES	62,310	62,310
109	0604261N	ACOUSTIC SEARCH SENSORS	47,182	47,182
110	0604262N	V-22A	132,624	132,624
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,445	21,445
112	0604269N	EA-18	106,134	106,134
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	134,194	134,194
114	0604273M	EXECUTIVE HELO DEVELOPMENT	99,321	99,321
115	0604274N	NEXT GENERATION JAMMER (NGJ)	477,680	477,680
116	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	232,818	232,818
117	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	170,039	170,039
118	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	403,712	403,712
119	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	945	945
120	0604329N	SMALL DIAMETER BOMB (SDB)	62,488	62,488
121	0604366N	STANDARD MISSILE IMPROVEMENTS	386,225	386,225
122	0604373N	AIRBORNE MCM	10,909	10,909
123	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYS- TEMS ENGINEERING.	44,548	44,548
124	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	13,673	13,673
125	0604501N	ADVANCED ABOVE WATER SENSORS	87,809	87,809
126	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,097	93,097
127	0604504N	AIR CONTROL	38,863	38,863
128	0604512N	SHIPBOARD AVIATION SYSTEMS	9,593	9,593
129	0604518N	COMBAT INFORMATION CENTER CONVERSION	12,718	12,718
130	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	78,319	78,319
131	0604530N	ADVANCED ARRESTING GEAR (AAG)	65,834	65,834
132	0604558N	NEW DESIGN SSN	259,443	259,443
133	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	63,878	58,878
		AN/BYG-1 APB17 and APB19 testing delays		[-5,000]
134	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	51,853	66,753
		Advanced degaussing DDG-51 retrofit and demonstration		[14,900]
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,853	3,853
136	0604601N	MINE DEVELOPMENT	92,607	92,607
137	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	146,012	116,012
		Project 1412: HAAWC operational testing delays		[-10,000]
		Project 3418: Mk 54 Mod 2 contract delays		[-20,000]
138	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,383	8,383
139	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS— ENG DEV.	33,784	33,784
140	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FAC- TORS.	8,599	8,599
141	0604727N	JOINT STANDOFF WEAPON SYSTEMS	73,744	73,744
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	157,490	157,490

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
143	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	121,761	121,761
144	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	89,373	89,373
145	0604761N	INTELLIGENCE ENGINEERING	15,716	15,716
146	0604771N	MEDICAL DEVELOPMENT	2,120	2,120
147	0604777N	NAVIGATION/ID SYSTEM	50,180	50,180
148	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	561	561
149	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	250	250
150	0604850N	SSN(X)	1,000	1,000
151	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	974	974
152	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	356,173	356,173
153	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	7,810	7,810
154	0605212M	CH-53K RDTE	406,406	406,406
155	0605215N	MISSION PLANNING	86,134	86,134
156	0605217N	COMMON AVIONICS	54,540	54,540
157	0605220N	SHIP TO SHORE CONNECTOR (SSC)	5,155	5,155
158	0605327N	T-AO 205 CLASS	5,148	5,148
159	0605414N	UNMANNED CARRIER AVIATION (UCA)	266,970	266,970
160	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	12,713	12,713
161	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	24,424	24,424
162	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	182,870	182,870
163	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	41,775	41,775
164	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,541	2,541
165	0204202N	DDG-1000	208,448	208,448
169	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	111,434	111,434
170	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,173	26,173
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,263,883	6,248,783
		MANAGEMENT SUPPORT		
171	0604256N	THREAT SIMULATOR DEVELOPMENT	22,075	22,075
172	0604258N	TARGET SYSTEMS DEVELOPMENT	10,224	10,224
173	0604759N	MAJOR T&E INVESTMENT	85,195	85,195
175	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,089	3,089
176	0605154N	CENTER FOR NAVAL ANALYSES	43,517	43,517
179	0605804N	TECHNICAL INFORMATION SERVICES	932	932
180	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	94,297	94,297
181	0605856N	STRATEGIC TECHNICAL SUPPORT	3,813	3,813
183	0605863N	RD&E SHIP AND AIRCRAFT SUPPORT	104,822	104,822
184	0605864N	TEST AND EVALUATION SUPPORT	446,960	446,960
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	27,241	27,241
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	15,787	15,787
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,559	8,559
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	42,749	42,749
189	0605898N	MANAGEMENT HQ—R&D	41,094	41,094
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,022	37,022
193	0305327N	INSIDER THREAT	2,310	2,310
194	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,536	1,536
		SUBTOTAL MANAGEMENT SUPPORT	991,222	991,222
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604227N	HARPOON MODIFICATIONS	697	697
200	0604840M	F-35 C2D2	379,549	379,549
201	0604840N	F-35 C2D2	413,875	413,875
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	143,667	143,667
204	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	173,056	173,056
205	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,970	45,970
206	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	69,190	61,190
		CRAW EDM (TI-2) early to need		[-8,000]
207	0101402N	NAVY STRATEGIC COMMUNICATIONS	42,277	42,277
208	0204136N	F/A-18 SQUADRONS	171,030	171,030
210	0204228N	SURFACE SUPPORT	33,482	33,482
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	200,308	200,308
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	102,975	152,975
		Accelerate sensor and signal processing development		[25,000]
		Program increase for spiral 1 TRAPS units		[25,000]
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	10,873	10,873
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,713	6,713
		Program increase for LCAC composite component manufacturing		[5,000]
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	22,205	105,805
		Program increase for G/ATOR and SM-6 stand-alone engagement analysis.		[10,000]
		Program increase for USMC G/ATOR and SM-6 demonstration ..		[73,600]
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	83,956	83,956

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
218	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	56,791	56,791
219	0205601N	HARM IMPROVEMENT	146,166	146,166
221	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,348	29,348
222	0205632N	MK-48 ADCAP	110,349	110,349
223	0205633N	AVIATION IMPROVEMENTS	133,953	133,953
224	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	110,313	110,313
225	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	207,662	207,662
226	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	4,406	4,406
227	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	61,381	61,381
228	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	10,421	10,421
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	29,977	29,977
230	0206629M	AMPHIBIOUS ASSAULT VEHICLE	6,469	6,469
231	0207161N	TACTICAL AIM MISSILES	5,859	5,859
232	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	44,323	44,323
236	0303109N	SATELLITE COMMUNICATIONS (SPACE)	41,978	41,978
237	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	29,684	29,684
238	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	39,094	39,094
239	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,154	6,154
240	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	7,108	7,108
241	0305205N	UAS INTEGRATION AND INTEROPERABILITY	62,098	62,098
242	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	21,500	21,500
244	0305220N	MQ-4C TRITON	11,120	11,120
245	0305231N	MQ-8 UAV	28,968	28,968
246	0305232M	RQ-11 UAV	537	537
247	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	8,773	8,773
248	0305239M	RQ-21A	10,853	10,853
249	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	60,413	60,413
250	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	5,000	5,000
251	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .. Cyber tool development	34,967	44,967 [10,000]
252	0305421N	RQ-4 MODERNIZATION	178,799	178,799
253	0307577N	INTELLIGENCE MISSION DATA (IMD)	2,120	2,120
254	0308601N	MODELING AND SIMULATION SUPPORT	8,683	8,683
255	0702207N	DEPOT MAINTENANCE (NON-IP)	45,168	45,168
256	0708730N	MARITIME TECHNOLOGY (MARITECH)	6,697	6,697
257	1203109N	SATELLITE COMMUNICATIONS (SPACE)	70,056	70,056
999	9999999999	CLASSIFIED PROGRAMS	1,795,032	1,795,032
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	5,327,043	5,467,643
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
258	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	14,300	14,300
259	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	10,868	10,868
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	25,168	25,168
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	21,427,048	21,036,806
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	315,348	325,348
		Increase in basic research		[10,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	161,861	161,861
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	15,085	15,085
		SUBTOTAL BASIC RESEARCH	492,294	502,294
		APPLIED RESEARCH		
4	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	100,000	100,000
5	0602102F	MATERIALS	140,781	160,281
		High-energy synchrotron x-ray program		[5,000]
		Materials maturation for high mach systems		[5,000]
		Metals Affordability Initiative		[5,000]
		Qualification of additive manufacturing processes		[2,000]
		Techniques to repair fasteners		[2,500]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	349,225	359,225
		Hypersonic materials		[10,000]
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	115,222	115,222
9	0602204F	AEROSPACE SENSORS	211,301	211,301
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,926	8,926
12	0602602F	CONVENTIONAL MUNITIONS	132,425	132,425

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
13	0602605F	DIRECTED ENERGY TECHNOLOGY	128,113	128,113
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	178,668	178,668
15	0602890F	HIGH ENERGY LASER RESEARCH	45,088	45,088
		SUBTOTAL APPLIED RESEARCH	1,409,749	1,439,249
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603030F	AF FOUNDATIONAL DEVELOPMENT/DEMOS	103,280	103,280
18	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	157,619	107,619
		Golden Horde too mature for science and technology prototype		[-50,000]
19	0603033F	NEXT GEN PLATFORM DEV/DEMO	199,556	208,556
		B-52 pylon fairings		[3,000]
		C-130 finlets		[3,000]
		KC-135 aft body drag		[3,000]
20	0603034F	PERSISTENT KNOWLEDGE, AWARENESS, & C2 TECH	102,276	102,276
21	0603035F	NEXT GEN EFFECTS DEV/DEMOS	215,817	215,817
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	778,548	737,548
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
38	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,320	4,320
39	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	26,396	26,396
40	0603790F	NATO RESEARCH AND DEVELOPMENT	3,647	3,647
41	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	32,959	32,959
43	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	869	869
44	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	302,323	302,323
45	0604004F	ADVANCED ENGINE DEVELOPMENT	636,495	686,495
		AETP program acceleration		[50,000]
46	0604015F	LONG RANGE STRIKE—BOMBER	2,848,410	2,848,410
47	0604032F	DIRECTED ENERGY PROTOTYPING	20,964	25,964
		Directed energy counter-Umanned Aerial Systems (CUAS)		[5,000]
48	0604033F	HYPERSONICS PROTOTYPING	381,862	446,862
		HAWC program increase		[65,000]
50	0604257F	ADVANCED TECHNOLOGY AND SENSORS	24,747	24,747
51	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	76,417	76,417
52	0604317F	TECHNOLOGY TRANSFER	3,011	3,011
53	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	52,921	52,921
54	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	69,783	69,783
55	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	25,835	25,835
56	0604858F	TECH TRANSITION PROGRAM	219,252	455,252
		Agile software development and operations		[4,500]
		Initial polar MILSATCOM capability		[46,000]
		KC-135 vertical wipers		[2,000]
		KC-135 winglets		[10,000]
		LCAAT program acceleration		[128,000]
		Long-endurance UAS		[33,500]
		Rapid repair of high performance materials		[6,000]
		Small satellite acceleration		[6,000]
57	0605230F	GROUND BASED STRATEGIC DETERRENT	1,524,759	1,524,759
59	0207110F	NEXT GENERATION AIR DOMINANCE	1,044,089	1,044,089
60	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,356	19,356
61	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	8,737	8,737
62	0208099F	UNIFIED PLATFORM (UP)	5,990	5,990
63	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	39,293	39,293
65	0305601F	MISSION PARTNER ENVIRONMENTS	11,430	11,430
66	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	259,823	259,823
67	0306415F	ENABLED CYBER ACTIVITIES	10,560	10,560
68	0401310F	C-32 EXECUTIVE TRANSPORT RECAPITALIZATION	9,908	9,908
69	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	8,662	8,662
74	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	8,787	8,787
77	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	56,311	56,311
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	7,737,916	8,093,916
		SYSTEM DEVELOPMENT & DEMONSTRATION		
82	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	25,161	25,161
83	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	38,564	38,564
84	0604222F	NUCLEAR WEAPONS SUPPORT	35,033	35,033
85	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,098	2,098
86	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	131,909	131,909
87	0604287F	PHYSICAL SECURITY EQUIPMENT	6,752	6,752
88	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	17,280	17,280
89	0604429F	AIRBORNE ELECTRONIC ATTACK	0	30,000
		STITCHES integration		[30,000]
90	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	23,076	23,076
91	0604604F	SUBMUNITIONS	3,091	3,091
92	0604617F	AGILE COMBAT SUPPORT	20,609	20,609

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
93	0604618F	JOINT DIRECT ATTACK MUNITION	7,926	7,926
94	0604706F	LIFE SUPPORT SYSTEMS	23,660	23,660
95	0604735F	COMBAT TRAINING RANGES	8,898	8,898
96	0604800F	F-35—EMD	5,423	5,423
97	0604932F	LONG RANGE STANDOFF WEAPON	474,430	474,430
98	0604933F	ICBM FUZE MODERNIZATION	167,099	167,099
100	0605056F	OPEN ARCHITECTURE MANAGEMENT	30,547	30,547
102	0605223F	ADVANCED PILOT TRAINING	248,669	254,669
		SLATE/VR training		[6,000]
103	0605229F	COMBAT RESCUE HELICOPTER	63,169	63,169
105	0101125F	NUCLEAR WEAPONS MODERNIZATION	9,683	9,683
106	0207171F	F-15 EPWSS	170,679	170,679
107	0207328F	STAND IN ATTACK WEAPON	160,438	160,438
108	0207701F	FULL COMBAT MISSION TRAINING	9,422	9,422
110	0305176F	COMBAT SURVIVOR EVADER LOCATOR	973	973
111	0401221F	KC-46A TANKER SQUADRONS	106,262	106,262
113	0401319F	VC-25B	800,889	800,889
114	0701212F	AUTOMATED TEST SYSTEMS	10,673	10,673
115	0804772F	TRAINING DEVELOPMENTS	4,479	4,479
116	0901299F	AF A1 SYSTEMS	8,467	8,467
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	2,615,359	2,651,359
		MANAGEMENT SUPPORT		
131	0604256F	THREAT SIMULATOR DEVELOPMENT	57,725	57,725
132	0604759F	MAJOR T&E INVESTMENT	208,680	223,680
		Gulf Range telemetry modernization		[15,000]
133	0605101F	RAND PROJECT AIR FORCE	35,803	35,803
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,557	13,557
136	0605807F	TEST AND EVALUATION SUPPORT	764,606	764,606
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	1,362,038	1,362,038
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	40,768	40,768
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	179,646	179,646
145	0605898F	MANAGEMENT HQ—R&D	5,734	5,734
146	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	70,985	70,985
147	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	29,880	29,880
148	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	63,381	63,381
149	0606398F	MANAGEMENT HQ—T&E	5,785	5,785
150	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	24,564	24,564
151	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	9,883	2,383
		Aeq strat incompatible with AF digital mod strategy		[-7,500]
152	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	13,384	13,384
153	0804731F	GENERAL SKILL TRAINING	1,262	1,262
155	1001004F	INTERNATIONAL ACTIVITIES	3,599	3,599
		SUBTOTAL MANAGEMENT SUPPORT	2,891,280	2,898,780
		OPERATIONAL SYSTEMS DEVELOPMENT		
163	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,777	8,777
164	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	499	499
165	0604840F	F-35 C2D2	785,336	785,336
166	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) ..	27,035	7,035
		Poor agile development strategy		[-20,000]
167	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	50,508	50,508
168	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,229	71,229
169	0605278F	HC/MC-130 RECAP RDT&E	24,705	24,705
170	0606018F	NC3 INTEGRATION	26,356	26,356
172	0101113F	B-52 SQUADRONS	520,023	520,023
173	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	1,433	1,433
174	0101126F	B-1B SQUADRONS	15,766	26,566
		USAF-requested transfer from APAF Lines 22, 24		[10,800]
175	0101127F	B-2 SQUADRONS	187,399	187,399
176	0101213F	MINUTEMAN SQUADRONS	116,569	116,569
177	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	27,235	27,235
178	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK.	24,227	24,227
179	0101328F	ICBM REENTRY VEHICLES	112,753	112,753
181	0102110F	UH-1N REPLACEMENT PROGRAM	44,464	44,464
182	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	5,929	5,929
183	0102412F	NORTH WARNING SYSTEM (NWS)	100	100
184	0205219F	MQ-9 UAV	162,080	162,080
186	0207131F	A-10 SQUADRONS	24,535	24,535
187	0207133F	F-16 SQUADRONS	223,437	223,437
188	0207134F	F-15E SQUADRONS	298,908	298,908
189	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,960	14,960

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
190	0207138F	F-22A SQUADRONS	665,038	665,038
191	0207142F	F-35 SQUADRONS	132,229	132,229
192	0207146F	F-15EX	159,761	159,761
193	0207161F	TACTICAL AIM MISSILES	19,417	19,417
194	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,799	51,799
195	0207227F	COMBAT RESCUE—PARARESCUE	669	669
196	0207247F	AF TENCAP	21,644	21,644
197	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	9,261	9,261
198	0207253F	COMPASS CALL	15,854	15,854
199	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	95,896	95,896
200	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	70,792	70,792
201	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	51,187	51,187
202	0207412F	CONTROL AND REPORTING CENTER (CRC)	16,041	16,041
203	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	138,303	138,303
204	0207418F	AFSPECWAR—TACP	4,223	4,223
206	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	16,564	16,564
207	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,858	7,858
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,906	12,906
210	0207452F	DCAPES	14,816	14,816
211	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,970	1,970
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	396	396
213	0207590F	SEEK EAGLE	29,680	29,680
214	0207601F	USAF MODELING AND SIMULATION	17,666	17,666
215	0207605F	WARGAMING AND SIMULATION CENTERS	6,353	6,353
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	6,827	6,827
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,390	3,390
218	0208006F	MISSION PLANNING SYSTEMS	91,768	91,768
219	0208007F	TACTICAL DECEPTION	2,370	2,370
220	0208064F	OPERATIONAL HQ—CYBER	5,527	5,527
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	68,279	68,279
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	15,165	15,165
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	38,480	38,480
224	0208099F	UNIFIED PLATFORM (UP)	84,645	84,645
230	0301025F	GEOBASE	2,767	2,767
231	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	32,759	32,759
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS	2,904	2,904
239	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) ...	3,468	3,468
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NET- WORK (MEECN)	61,887	61,887
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	10,351	10,351
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	1,346	1,346
246	0304260F	AIRBORNE SIGINT ENTERPRISE	128,110	128,110
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,042	4,042
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,649	1,649
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	19,265	19,265
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,645	4,645
254	0305103F	CYBER SECURITY INITIATIVE	384	384
255	0305111F	WEATHER SERVICE	23,640	23,640
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALs)	6,553	6,553
257	0305116F	AERIAL TARGETS	449	449
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	432	432
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	4,890	4,890
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,864	8,864
265	0305202F	DRAGON U-2	18,660	18,660
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	121,512	121,512
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,711	14,711
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,152	14,152
270	0305220F	RQ-4 UAV	134,589	134,589
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	15,049	15,049
272	0305238F	NATO AGS	36,731	36,731
273	0305240F	SUPPORT TO DCGS ENTERPRISE	33,547	33,547
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND AR- CHITECTURES	13,635	17,315
		PDI: Mission Partner Environment BICES-X Project 675898		[3,680]
275	0305881F	RAPID CYBER ACQUISITION	4,262	4,262
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,207	2,207
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,277	6,277
278	0401115F	C-130 AIRLIFT SQUADRON	41,973	41,973
279	0401119F	C-5 AIRLIFT SQUADRONS (IF)	32,560	32,560
280	0401130F	C-17 AIRCRAFT (IF)	9,991	12,991
		C-17 microvanes		[3,000]
281	0401132F	C-130J PROGRAM	10,674	10,674
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCm)	5,507	5,507
283	0401218F	KC-135S	4,591	4,591
286	0401318F	CV-22	18,419	18,419
288	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,673	7,673

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	24,513	24,513
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	35,225	15,225
		Poor agile development strategy		[-20,000]
292	0708611F	SUPPORT SYSTEMS DEVELOPMENT	11,838	11,838
293	0804743F	OTHER FLIGHT TRAINING	1,332	1,332
295	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,092	2,092
296	0901218F	CIVILIAN COMPENSATION PROGRAM	3,869	3,869
297	0901220F	PERSONNEL ADMINISTRATION	1,584	1,584
298	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,197	1,197
299	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	7,006	7,006
300	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	45,638	45,638
301	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	1,889	1,889
302	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	993	993
303	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	8,999	8,999
314	1203400F	SPACE SUPERIORITY INTELLIGENCE	16,810	16,810
316	1203620F	NATIONAL SPACE DEFENSE CENTER	2,687	2,687
318	1203906F	NCMC—TW/AA SYSTEM	6,990	6,990
999	9999999999	CLASSIFIED PROGRAMS	15,777,856	15,839,856
		Air-to-air weapons development increase		[62,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	21,466,680	21,506,160
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	37,391,826	37,829,306
		RDTE, SPACE FORCE APPLIED RESEARCH		
1	1206601SF	SPACE TECHNOLOGY	130,874	133,874
		Small satellite mission operations facility		[3,000]
		SUBTOTAL APPLIED RESEARCH	130,874	133,874
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
2	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	390,704	370,704
		MGUE program slip		[-20,000]
3	1203710SF	EO/IR WEATHER SYSTEMS	131,000	131,000
4	1206422SF	WEATHER SYSTEM FOLLOW-ON	83,384	83,384
5	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	33,359	33,359
6	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,808	142,808
7	1206438SF	SPACE CONTROL TECHNOLOGY	35,575	35,575
8	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	114,390	114,390
9	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	205,178	205,178
10	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	71,395	71,395
11	1206857SF	SPACE RAPID CAPABILITIES OFFICE	103,518	103,518
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,311,311	1,291,311
		SYSTEM DEVELOPMENT & DEMONSTRATION		
12	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	263,496	263,496
13	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	41,897	41,897
14	1206421SF	COUNTERSPACE SYSTEMS	54,689	54,689
15	1206422SFZ	WEATHER SYSTEM FOLLOW-ON	2,526	2,526
16	1206425SFZ	SPACE SITUATION AWARENESS SYSTEMS	173,074	173,074
17	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	138,257	138,257
18	1206432SF	POLAR MILSATCOM (SPACE)	190,235	190,235
19	1206442SF	NEXT GENERATION OPIR	2,318,864	2,318,864
20	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	560,978	590,978
		NSSL Phase 3 integration activities program		[30,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	3,744,016	3,774,016
		MANAGEMENT SUPPORT		
21	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	20,281	20,281
22	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	183,930	183,930
23	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	9,765	9,765
24	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,993	17,993
25	1206864SF	SPACE TEST PROGRAM (STP)	26,541	26,541
		SUBTOTAL MANAGEMENT SUPPORT	258,510	258,510
		OPERATIONAL SYSTEM DEVELOPMENT		
26	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,708	3,708
27	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	247,229	247,229
28	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	75,480	75,480
29	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	1,984	1,984
30	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,397	4,397
31	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	44,746	44,746

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
32	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,020	11,020
33	1203265SF	GPS III SPACE SEGMENT	10,777	10,777
34	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	28,179	46,679
		Cobra Dane service life extension		[18,500]
35	1203913SF	NUDET DETECTION SYSTEM (SPACE)	29,157	29,157
36	1203940SFZ	SPACE SITUATION AWARENESS OPERATIONS	44,809	51,809
		Commercial SSA		[7,000]
37	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CON- TROL SEGMENT.	481,999	416,999
		Funds available prioritized to other space missions		[-65,000]
41	1206770SF	ENTERPRISE GROUND SERVICES	116,791	116,791
999	99999999999	CLASSIFIED PROGRAMS	3,632,866	3,632,866
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT ...	4,733,142	4,693,642
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PRO- GRAMS		
42	1203614SF	JSPOC MISSION SYSTEM	149,742	149,742
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	149,742	149,742
		TOTAL RDTE, SPACE FORCE	10,327,595	10,301,095
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	14,617	14,617
2	0601101E	DEFENSE RESEARCH SCIENCES	479,958	479,958
3	0601110D8Z	BASIC RESEARCH INITIATIVES	35,565	72,565
		DEPSCoR		[20,000]
		Minerva Research initiative restore DWR cut		[17,000]
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	53,730	58,730
		Traumatic brain injury medical research		[5,000]
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	100,241	100,241
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MI- NORITY INSTITUTIONS.	30,975	37,975
		Aerospace education, research, and innovation activities		[2,000]
		HBCU/Minority Institutions		[5,000]
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,300	45,300
		SUBTOTAL BASIC RESEARCH	760,386	809,386
		APPLIED RESEARCH		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,409	19,409
9	0602115E	BIOMEDICAL TECHNOLOGY	107,568	107,568
11	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	35,000	35,000
12	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	41,080	41,080
13	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRI- ORITIES.	60,722	60,722
14	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	435,920	435,920
15	0602383E	BIOLOGICAL WARFARE DEFENSE	26,950	26,950
16	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	201,807	201,807
17	0602668D8Z	CYBER SECURITY RESEARCH	15,255	15,255
18	0602702E	TACTICAL TECHNOLOGY	233,271	233,271
19	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	250,107	290,107
		Increase in emerging biotech research		[40,000]
20	0602716E	ELECTRONICS TECHNOLOGY	322,693	322,693
21	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RE- SEARCH.	174,571	174,571
22	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RE- SEARCH.	9,573	9,573
23	1160401BB	SOF TECHNOLOGY DEVELOPMENT	42,464	42,464
		SUBTOTAL APPLIED RESEARCH	1,976,390	2,016,390
		ADVANCED TECHNOLOGY DEVELOPMENT		
24	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	22,920	22,920
25	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,914	4,914
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	51,089	51,089
27	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,183	25,183
29	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	366,659	366,659
30	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ...	14,910	14,910
32	0603180C	ADVANCED RESEARCH	18,687	18,687
33	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,873	18,873
34	0603286E	ADVANCED AEROSPACE SYSTEMS	230,978	210,978
		OpFires lack of transition pathway		[-20,000]
35	0603287E	SPACE PROGRAMS AND TECHNOLOGY	158,439	158,439
36	0603288D8Z	ANALYTIC ASSESSMENTS	23,775	23,775
37	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	36,524	36,524
38	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA ...	14,703	14,703
39	0603294C	COMMON KILL VEHICLE TECHNOLOGY	11,058	11,058

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
40	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	133,375	126,375
		Lack of hypersonic prototype coordination efforts		[-20,000]
		Stratospheric balloon research		[13,000]
42	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	26,141	26,141
43	0603375D8Z	TECHNOLOGY INNOVATION	27,709	27,709
44	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	188,001	188,001
45	0603527D8Z	RETRACT LARCH	130,283	130,283
46	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	15,164	15,164
47	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	85,452	85,452
48	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	5,882	5,882
49	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	93,817	98,817
		Rapid prototyping using digital manufacturing		[5,000]
50	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	40,025	55,025
		Defense supply chain technologies		[5,000]
		Steel performance initiative		[10,000]
52	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,235	10,235
53	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	53,862	53,862
54	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	124,049	124,049
55	0603727D8Z	JOINT WARFIGHTING PROGRAM	3,871	3,871
56	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	95,864	95,864
57	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	221,724	221,724
58	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	661,158	651,158
		Lack of coordination		[-10,000]
59	0603767E	SENSOR TECHNOLOGY	200,220	200,220
60	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	6,765	6,765
61	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	12,598	12,598
64	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	105,410	105,410
65	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	187,065	187,065
67	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	0	65,000
		Restoration of funds		[65,000]
70	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,072	89,072
71	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	72,422	72,422
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	3,588,876	3,636,876
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
72	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	32,636	32,636
73	0603600D8Z	WALKOFF	106,529	106,529
75	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	61,345	76,345
		Joint Storage Program		[15,000]
76	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	412,627	412,627
77	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,004,305	1,004,305
78	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	76,167	76,167
79	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	281,957	281,957
80	0603890C	BMD ENABLING PROGRAMS	599,380	599,380
81	0603891C	SPECIAL PROGRAMS—MDA	420,216	420,216
82	0603892C	AEGIS BMD	814,936	814,936
83	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	593,353	593,353
84	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	49,560	49,560
85	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MIOC).	55,356	55,356
86	0603906C	REGARDING TRENCH	11,863	11,863
87	0603907C	SEA BASED X-BAND RADAR (SBX)	118,318	118,318
88	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
89	0603914C	BALLISTIC MISSILE DEFENSE TEST	378,302	378,302
90	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	536,133	536,133
92	0603923D8Z	COALITION WARFARE	10,129	10,129
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	449,000	449,000
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,325	3,325
95	0604115C	TECHNOLOGY MATURATION INITIATIVES	67,389	67,389
98	0604181C	HYPERSONIC DEFENSE	206,832	206,832
99	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	730,508	630,508
		Program decrease		[-100,000]
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	489,076	489,076

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	102,023	82,023
		Lack of hypersonic prototype coordination efforts		[-20,000]
102	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	13,255	13,255
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,787	2,787
105	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)	0	162,000
		Continue radar development		[162,000]
107	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,469	3,469
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	19,190	19,190
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,256	137,256
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	664,138	354,138
		Contract award delay		[-310,000]
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	7,768	7,768
113	0604878C	AEGIS BMD TEST	170,880	170,880
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	76,456	76,456
115	0604880C	LAND-BASED SM-3 (LBSM3)	56,628	133,428
		PDI: Guam Defense System—systems engineering		[76,800]
116	0604887C	BALLISTIC MISSILE DEFENSE MDCOURSE SEGMENT TEST	67,071	67,071
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,198	2,198
119	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	997	997
120	0305103C	CYBER SECURITY INITIATIVE	1,148	1,148
121	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING ...	215,994	325,994
		Execution of HBTSS by MDA		[-20,000]
		Space-based target custody layer		[130,000]
122	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	34,144	34,144
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..	32,068	152,068
		Hypersonic and Ballistic Tracking Space Sensor (HBTSS)		[120,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,416,712	9,470,512
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	7,173	7,173
126	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	319,976	322,976
		Stryker NBCRV sensor suite upgrade		[3,000]
127	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	54,985	54,985
128	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	15,650	15,650
129	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	1,441	1,441
130	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,287	7,287
131	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	12,928	12,928
132	0605027D8Z	OUSDC IT DEVELOPMENT INITIATIVES	10,259	10,259
133	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	1,377	1,377
134	0605075D8Z	CMO POLICY AND INTEGRATION	1,648	1,648
135	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	20,537	20,537
136	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	1,638	1,638
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	5,500	5,500
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	8,279	8,279
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	107,585	107,585
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,685	3,685
143	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EETM).	3,275	3,275
144	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,585	20,585
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	603,808	606,808
		MANAGEMENT SUPPORT		
145	0603829J	JOINT CAPABILITY EXPERIMENTATION	11,239	11,239
146	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,793	9,793
147	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,497	8,497
148	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	422,451	452,451
		Joint Counter-UAS Office assessment infrastructure		[15,000]
		Telemetry range extension wave glider relay		[15,000]
149	0604942D8Z	ASSESSMENTS AND EVALUATIONS	18,379	18,379
150	0605001E	MISSION SUPPORT	74,334	74,334
151	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	79,046	79,046
153	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	50,255	50,255
155	0605142D8Z	SYSTEMS ENGINEERING	49,376	49,376

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
156	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD National Academies of Science study on comparison of talent programs.	5,777	7,777 [2,000]
157	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	16,552	16,552
158	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,582	9,582
159	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,940	1,940
160	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	122,951	122,951
167	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER	3,582	3,582
168	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	29,566	29,566
169	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	29,059	29,059
170	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) Insufficient progress on data sharing and open repositories	59,369	9,369 [-50,000]
171	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	29,420	29,420
172	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,198	27,198
173	0605898E	MANAGEMENT HQ—R&D	13,434	13,434
174	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	2,837	2,837
175	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	13,173	13,173
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,200	3,200
177	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	999	999
180	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,099	3,099
181	0204571J	JOINT STAFF ANALYTICAL SUPPORT	3,058	3,058
182	0208045K	C4I INTEROPERABILITY	59,813	59,813
185	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM	1,112	1,112
186	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	545	545
187	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,036	1,036
188	0305172K	COMBINED ADVANCED APPLICATIONS	30,824	30,824
190	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,048	3,048
194	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA	31,125	31,125
195	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI)	100	100
196	0901598C	MANAGEMENT HQ—MDA	26,902	26,902
197	0903235K	JOINT SERVICE PROVIDER (JSP)	3,138	3,138
999	9999999999	CLASSIFIED PROGRAMS	41,583	41,583
		SUBTOTAL MANAGEMENT SUPPORT	1,297,392	1,279,392
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	14,378	14,378
200	0604532K	JOINT ARTIFICIAL INTELLIGENCE	132,058	132,058
201	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA	1,986	1,986
202	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHAIS)	316	316
203	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT Advanced machine tool research [20,000] Cold spray manufacturing technologies [5,000] Domestic organic LED manufacturing [5,000] Implementation of radar supplier resiliency plan [5,000] Manufacturing for reuse of NdFeB magnets [6,000] Submarine industrial base workforce training pipeline [20,000]	9,151	70,151
204	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT ..	19,082	19,082
205	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	3,992	3,992
206	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	39,530	39,530
207	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,039	3,039
212	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,324	16,324
213	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,884	11,884
214	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	5,560	5,560
215	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	73,356	73,356
216	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	46,577	66,577
		Workforce transformation cyber initiative pilot program		[20,000]
217	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	356,713	356,713
218	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,922	18,922
		Execution of orchestration pilot		[10,000]
219	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	3,695	3,695
220	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,113	20,113
223	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,728	9,242
		JRSS SIPR funding		[-486]
231	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	5,700	5,700

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
235	0305186D8Z	POLICY R&D PROGRAMS	7,144	7,144
236	0305199D8Z	NET CENTRICITY	21,793	21,793
238	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,066	6,066
245	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,190	2,190
252	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,654	1,654
253	0708012S	PACIFIC DISASTER CENTERS	1,785	1,785
254	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	7,301	7,301
256	1105219BB	MQ-9 UAV	21,265	21,265
258	1160403BB	AVIATION SYSTEMS	230,812	230,812
259	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	19,558	19,558
260	1160408BB	OPERATIONAL ENHANCEMENTS	136,041	136,041
261	1160431BB	WARRIOR SYSTEMS	59,511	58,311
		MMP-Light unexecutable, transfer to man-pack		[-1,200]
262	1160432BB	SPECIAL PROGRAMS	10,500	10,500
263	1160434BB	UNMANNED ISR	19,154	19,154
264	1160480BB	SOF TACTICAL VEHICLES	9,263	9,263
265	1160483BB	MARITIME SYSTEMS	59,882	59,882
266	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,606	4,606
267	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,612	11,612
268	1203610K	TELEPORT PROGRAM	3,239	3,239
999	9999999999	CLASSIFIED PROGRAMS	4,746,466	4,746,466
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	6,161,946	6,251,260
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
269	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES— SOFTWARE PILOT PROGRAM	121,676	121,676
270	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	16,848	16,848
271	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	86,750	86,750
272	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS— SOFTWARE PILOT PROGRAM	250,107	250,107
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	475,381	475,381
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	24,280,891	24,546,005
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
1	06051180TE	OPERATIONAL TEST AND EVALUATION	100,021	100,021
2	06051310TE	LIVE FIRE TEST AND EVALUATION	70,933	70,933
3	06058140TE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	39,136	66,136
		Advanced satellite navigation receiver		[5,000]
		Joint Test and Evaluation DWR funding restoration		[22,000]
		SUBTOTAL MANAGEMENT SUPPORT	210,090	237,090
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	210,090	237,090
		TOTAL RDT&E	106,224,793	106,660,645

1 **SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 2 **TION FOR OVERSEAS CONTINGENCY OPER-**
 3 **ATIONS.**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY APPLIED RESEARCH		
16	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	2,000	2,000
		SUBTOTAL APPLIED RESEARCH	2,000	2,000
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
80	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
114	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,020	2,020
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	2,520	2,520

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2021 Request	Senate Authorized
SYSTEM DEVELOPMENT & DEMONSTRATION				
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	27,000	27,000
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRC)	2,300	2,300
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	64,625	64,625
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	3,900	3,900
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	97,825	97,825
MANAGEMENT SUPPORT				
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	1,000	1,000
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	4,137	4,137
		SUBTOTAL MANAGEMENT SUPPORT	5,137	5,137
OPERATIONAL SYSTEMS DEVELOPMENT				
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	2,300	2,300
248	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	23,367	23,367
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	34,100	34,100
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	15,575	15,575
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	75,342	75,342
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	182,824	182,824
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
39	0603527N	RETRACT LARCH	36,500	36,500
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	14,461	14,461
63	0603734N	CHALK CORAL	3,000	3,000
71	0603795N	LAND ATTACK TECHNOLOGY	1,457	1,457
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	55,418	55,418
SYSTEM DEVELOPMENT & DEMONSTRATION				
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,144	1,144
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,144	1,144
OPERATIONAL SYSTEMS DEVELOPMENT				
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	3,000	3,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	3,000	3,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	59,562	59,562
RESEARCH, DEVELOPMENT, TEST & EVAL, AF ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
65	0305601F	MISSION PARTNER ENVIRONMENTS		6,500
		EDI: Mission Partner Environment (MPE)		[6,500]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.		6,500
OPERATIONAL SYSTEMS DEVELOPMENT				
185	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,080	4,080
228	0208288F	INTEL DATA APPLICATIONS	1,224	1,224
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	5,304	5,304
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	5,304	11,804
RESEARCH, DEVELOPMENT, TEST & EVAL, DW APPLIED RESEARCH				
10	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	3,699	3,699
		SUBTOTAL APPLIED RESEARCH	3,699	3,699
ADVANCED TECHNOLOGY DEVELOPMENT				
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	19,288	19,288
28	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	3,861	3,861
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	23,149	23,149

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2021 Request	Senate Authorized
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
97	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	19,931	19,931
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	19,931	19,931
	9999999999	CLASSIFIED PROGRAMS	24,057	24,057
OPERATIONAL SYSTEMS DEVELOPMENT				
260	1160408BB	OPERATIONAL ENHANCEMENTS	1,186	1,186
261	1160431BB	WARRIOR SYSTEMS	5,796	5,796
263	1160434BB	UNMANNED ISR	5,000	5,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	36,039	36,039
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	82,818	82,818
		TOTAL RDT&E	330,508	337,008

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**
3 **SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)**

Line	Item	FY 2021 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY OPERATING FORCES			
020	MODULAR SUPPORT BRIGADES	159,834	159,834
030	ECHELONS ABOVE BRIGADE	663,751	663,751
040	THEATER LEVEL ASSETS	956,477	956,477
050	LAND FORCES OPERATIONS SUPPORT	1,157,635	1,167,935
	Joint Counter-UAS IOC acceleration		[10,300]
060	AVIATION ASSETS	1,453,024	1,453,024
070	FORCE READINESS OPERATIONS SUPPORT	4,713,660	4,713,660
080	LAND FORCES SYSTEMS READINESS	404,161	404,161
090	LAND FORCES DEPOT MAINTENANCE	1,413,359	1,413,359
100	BASE OPERATIONS SUPPORT	8,220,093	8,346,093
	Child Development Center playground equipment and furniture increases		[79,000]
	Child Youth Service improvements		[47,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,581,071	3,815,531
	FSRM increase		[62,360]
	MDTF EUCOM and INDOPACOM FSRM		[126,800]
	Revitalization of Army deployment infrastructure		[45,300]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	411,844	411,844
160	US AFRICA COMMAND	239,387	341,887
	AFRICOM force protection upgrades		[2,500]
	AFRICOM ISR improvements		[64,000]
	AFRICOM UFR CASEVAC improvements		[36,000]
170	US EUROPEAN COMMAND	160,761	160,761
180	US SOUTHERN COMMAND	197,826	197,826
190	US FORCES KOREA	65,152	65,152
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	430,109	435,109
	Additional access and operations support		[5,000]
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	464,117	464,117
	SUBTOTAL OPERATING FORCES	24,692,261	25,170,521
MOBILIZATION			
220	STRATEGIC MOBILITY	402,236	402,236
230	ARMY PREPOSITIONED STOCKS	324,306	324,306
240	INDUSTRIAL PREPAREDNESS	3,653	3,653

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	SUBTOTAL MOBILIZATION	730,195	730,195
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	165,142	165,142
260	RECRUIT TRAINING	76,509	76,509
270	ONE STATION UNIT TRAINING	88,523	88,523
280	SENIOR RESERVE OFFICERS TRAINING CORPS	535,578	535,578
290	SPECIALIZED SKILL TRAINING	981,436	981,436
300	FLIGHT TRAINING	1,204,768	1,204,768
310	PROFESSIONAL DEVELOPMENT EDUCATION	215,195	215,195
320	TRAINING SUPPORT	575,232	575,232
330	RECRUITING AND ADVERTISING	722,612	722,612
340	EXAMINING	185,522	185,522
350	OFF-DUTY AND VOLUNTARY EDUCATION	221,503	221,503
360	CIVILIAN EDUCATION AND TRAINING	154,651	154,651
370	JUNIOR RESERVE OFFICER TRAINING CORPS	173,286	173,286
	SUBTOTAL TRAINING AND RECRUITING	5,299,957	5,299,957
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	491,926	466,926
	Historical underexecution		[-25,000]
400	CENTRAL SUPPLY ACTIVITIES	812,613	812,613
410	LOGISTIC SUPPORT ACTIVITIES	676,178	676,178
420	AMMUNITION MANAGEMENT	437,774	437,774
430	ADMINISTRATION	438,048	438,048
440	SERVICEWIDE COMMUNICATIONS	1,638,872	1,638,872
450	MANPOWER MANAGEMENT	300,046	300,046
460	OTHER PERSONNEL SUPPORT	701,103	700,103
	Historical underexecution		[-4,000]
	Servicewomen's commemorative partnerships		[3,000]
470	OTHER SERVICE SUPPORT	1,887,133	1,887,133
480	ARMY CLAIMS ACTIVITIES	195,291	195,291
490	REAL ESTATE MANAGEMENT	229,537	229,537
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	306,370	306,370
510	INTERNATIONAL MILITARY HEADQUARTERS	373,030	373,030
520	MISC. SUPPORT OF OTHER NATIONS	32,719	32,719
9999	CLASSIFIED PROGRAMS	1,069,915	1,069,915
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	9,590,555	9,564,555
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-458,901
	COVID-related ops/training slowdown		[-185,801]
	Excessive standard price for fuel		[-135,400]
	Foreign currency adjustments		[-137,700]
	SUBTOTAL UNDISTRIBUTED	0	-458,901
	TOTAL OPERATION & MAINTENANCE, ARMY	40,312,968	40,306,327
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,784	10,784
020	ECHELONS ABOVE BRIGADE	530,425	530,425
030	THEATER LEVEL ASSETS	123,737	123,737
040	LAND FORCES OPERATIONS SUPPORT	589,582	589,582
050	AVIATION ASSETS	89,332	89,332
060	FORCE READINESS OPERATIONS SUPPORT	387,545	387,545
070	LAND FORCES SYSTEMS READINESS	97,569	97,569
080	LAND FORCES DEPOT MAINTENANCE	43,148	43,148
090	BASE OPERATIONS SUPPORT	587,098	587,098
100	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	327,180	332,440
	FSRM increase		[5,260]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,745	2,745
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,438	7,438
	SUBTOTAL OPERATING FORCES	2,825,366	2,830,626
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,530	15,530
150	ADMINISTRATION	17,761	17,761

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
160	SERVICEWIDE COMMUNICATIONS	14,256	14,256
170	MANPOWER MANAGEMENT	6,564	6,564
180	RECRUITING AND ADVERTISING	55,240	55,240
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	109,351	109,351
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-16,699
	COVID-related ops/training slowdown		[-11,999]
	Excessive standard price for fuel		[-4,700]
	SUBTOTAL UNDISTRIBUTED	0	-16,699
	TOTAL OPERATION & MAINTENANCE, ARMY RES	2,934,717	2,923,278
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	769,449	769,449
020	MODULAR SUPPORT BRIGADES	204,604	204,604
030	ECHELONS ABOVE BRIGADE	812,072	812,072
040	THEATER LEVEL ASSETS	103,650	103,650
050	LAND FORCES OPERATIONS SUPPORT	32,485	32,485
060	AVIATION ASSETS	1,011,142	1,011,142
070	FORCE READINESS OPERATIONS SUPPORT	712,881	712,881
080	LAND FORCES SYSTEMS READINESS	47,732	47,732
090	LAND FORCES DEPOT MAINTENANCE	265,408	265,408
100	BASE OPERATIONS SUPPORT	1,106,704	1,106,704
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	876,032	887,252
	FSRM increase		[11,220]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,050,257	1,050,257
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	7,998	10,998
	Pilot program for National Guard cybersecurity		[3,000]
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,756	7,756
	SUBTOTAL OPERATING FORCES	7,008,170	7,022,390
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,018	8,018
160	ADMINISTRATION	74,309	74,309
170	SERVICEWIDE COMMUNICATIONS	66,140	66,140
180	MANPOWER MANAGEMENT	9,087	9,087
190	OTHER PERSONNEL SUPPORT	251,714	251,714
200	REAL ESTATE MANAGEMENT	2,576	2,576
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	411,844	411,844
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-74,172
	COVID-related ops/training slowdown		[-36,372]
	Excessive standard price for fuel		[-37,800]
	SUBTOTAL UNDISTRIBUTED	0	-74,172
	TOTAL OPERATION & MAINTENANCE, ARNG	7,420,014	7,360,062
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,738,746	5,738,746
020	FLEET AIR TRAINING	2,213,673	2,213,673
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	57,144	57,144
040	AIR OPERATIONS AND SAFETY SUPPORT	171,949	171,949
050	AIR SYSTEMS SUPPORT	838,767	838,767
060	AIRCRAFT DEPOT MAINTENANCE	1,459,447	1,459,447
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	57,789	57,789
080	AVIATION LOGISTICS	1,264,665	1,264,665
100	SHIP OPERATIONS SUPPORT & TRAINING	1,117,067	1,117,067
110	SHIP DEPOT MAINTENANCE	7,859,104	7,859,104
120	SHIP DEPOT OPERATIONS SUPPORT	2,262,196	2,262,196
130	COMBAT COMMUNICATIONS AND ELECTRONIC WAR- FARE	1,521,360	1,521,360
140	SPACE SYSTEMS AND SURVEILLANCE	274,087	274,087
150	WARFARE TACTICS	741,609	741,609
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	401,382	401,382
170	COMBAT SUPPORT FORCES	1,546,273	1,546,273

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	177,951	177,951
190	COMBATANT COMMANDERS CORE OPERATIONS	61,484	66,484
	PDI: Asia-Pacific Regional Initiative		[5,000]
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	102,330	110,630
	PDI: Joint Task Force Indo-Pacific (SOCPAC)		[6,300]
	PDI: Singapore CTIF fusion center		[2,000]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,810	26,510
	PDI: Countering Chinese malign influence in Indo-Pacific		[17,700]
220	CYBERSPACE ACTIVITIES	567,496	567,496
230	FLEET BALLISTIC MISSILE	1,428,102	1,428,102
240	WEAPONS MAINTENANCE	995,762	995,762
250	OTHER WEAPON SYSTEMS SUPPORT	524,008	524,008
260	ENTERPRISE INFORMATION	1,229,056	1,229,056
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,453,099	3,453,099
280	BASE OPERATING SUPPORT	4,627,966	4,627,966
	SUBTOTAL OPERATING FORCES	40,701,322	40,732,322
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	849,993	849,993
300	READY RESERVE FORCE	436,029	436,029
310	SHIP ACTIVATIONS/INACTIVATIONS	286,416	286,416
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	99,402	111,002
	USNS Mercy SLEP		[11,600]
330	COAST GUARD SUPPORT	25,235	25,235
	SUBTOTAL MOBILIZATION	1,697,075	1,708,675
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	186,117	186,117
350	RECRUIT TRAINING	13,206	13,206
360	RESERVE OFFICERS TRAINING CORPS	163,683	163,683
370	SPECIALIZED SKILL TRAINING	947,841	947,841
380	PROFESSIONAL DEVELOPMENT EDUCATION	367,647	367,647
390	TRAINING SUPPORT	254,928	254,928
400	RECRUITING AND ADVERTISING	206,305	206,305
410	OFF-DUTY AND VOLUNTARY EDUCATION	103,799	103,799
420	CIVILIAN EDUCATION AND TRAINING	66,060	66,060
430	JUNIOR ROTC	56,276	56,276
	SUBTOTAL TRAINING AND RECRUITING	2,365,862	2,365,862
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,249,410	1,249,410
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	189,625	189,625
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	499,904	499,904
470	MEDICAL ACTIVITIES	196,747	196,747
480	SERVICEWIDE TRANSPORTATION	165,708	165,708
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	519,716	524,716
	Energy Security Programs Office		[5,000]
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	751,184	751,184
520	INVESTIGATIVE AND SECURITY SERVICES	747,519	747,519
9999	CLASSIFIED PROGRAMS	608,670	608,670
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,928,483	4,933,483
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-629,787
	COVID-related ops/training slowdown		[-54,987]
	Excessive standard price for fuel		[-526,100]
	Foreign currency adjustments		[-48,700]
	SUBTOTAL UNDISTRIBUTED	0	-629,787
	TOTAL OPERATION & MAINTENANCE, NAVY	49,692,742	49,110,555
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	941,143	941,143
020	FIELD LOGISTICS	1,277,798	1,277,798
030	DEPOT MAINTENANCE	206,907	206,907
040	MARITIME PREPOSITIONING	103,614	103,614
050	CYBERSPACE ACTIVITIES	215,974	215,974
060	SUSTAINMENT, RESTORATION & MODERNIZATION	938,063	938,063

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
070	BASE OPERATING SUPPORT	2,264,680	2,264,680
	SUBTOTAL OPERATING FORCES	5,948,179	5,948,179
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	20,751	20,751
090	OFFICER ACQUISITION	1,193	1,193
100	SPECIALIZED SKILL TRAINING	110,149	110,149
110	PROFESSIONAL DEVELOPMENT EDUCATION	69,509	69,509
120	TRAINING SUPPORT	412,613	412,613
130	RECRUITING AND ADVERTISING	215,464	215,464
140	OFF-DUTY AND VOLUNTARY EDUCATION	33,719	33,719
150	JUNIOR ROTC	25,784	25,784
	SUBTOTAL TRAINING AND RECRUITING	889,182	889,182
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	32,005	32,005
170	ADMINISTRATION	399,363	399,363
9999	CLASSIFIED PROGRAMS	59,878	59,878
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	491,246	491,246
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-28,257
	COVID-related ops/training slowdown		[-7,457]
	Excessive standard price for fuel		[-7,300]
	Foreign currency adjustments		[-13,500]
	SUBTOTAL UNDISTRIBUTED	0	-28,257
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	7,328,607	7,300,350
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	635,070	635,070
020	INTERMEDIATE MAINTENANCE	8,713	8,713
030	AIRCRAFT DEPOT MAINTENANCE	105,088	105,088
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	398	398
050	AVIATION LOGISTICS	27,284	27,284
070	COMBAT COMMUNICATIONS	17,894	17,894
080	COMBAT SUPPORT FORCES	132,862	132,862
090	CYBERSPACE ACTIVITIES	453	453
100	ENTERPRISE INFORMATION	26,073	26,073
110	SUSTAINMENT, RESTORATION AND MODERNIZATION ...	48,762	48,762
120	BASE OPERATING SUPPORT	103,580	103,580
	SUBTOTAL OPERATING FORCES	1,106,177	1,106,177
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,927	1,927
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	15,895	15,895
150	ACQUISITION AND PROGRAM MANAGEMENT	3,047	3,047
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	20,869	20,869
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-30,938
	COVID-related ops/training slowdown		[-6,438]
	Excessive standard price for fuel		[-24,500]
	SUBTOTAL UNDISTRIBUTED	0	-30,938
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,127,046	1,096,108
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	104,616	104,616
020	DEPOT MAINTENANCE	17,053	17,053
030	SUSTAINMENT, RESTORATION AND MODERNIZATION ...	41,412	41,412
040	BASE OPERATING SUPPORT	107,773	107,773
	SUBTOTAL OPERATING FORCES	270,854	270,854
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	13,802	13,802
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	13,802	13,802

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-1,246
	COVID-related ops/training slowdown		[-1,046]
	Excessive standard price for fuel		[-200]
	SUBTOTAL UNDISTRIBUTED	0	-1,246
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	284,656	283,410
OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES			
010	PRIMARY COMBAT FORCES	731,511	733,211
	Premature reduction of A-10 squadrons		[1,700]
020	COMBAT ENHANCEMENT FORCES	1,275,485	1,275,485
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) ...	1,437,095	1,449,495
	Premature reduction of A-10 squadrons		[12,400]
050	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	3,241,216	3,343,016
	FSRM increase		[101,800]
060	CYBERSPACE SUSTAINMENT	235,816	235,816
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	1,508,342	1,477,897
	Transfer to OCO		[-30,445]
080	FLYING HOUR PROGRAM	4,458,457	4,564,157
	KC-10 tanker divestment reversal		[16,200]
	KC-135 tanker divestment reversal		[36,600]
	Premature reduction of A-10 squadrons		[52,900]
090	BASE SUPPORT	7,497,288	7,497,288
100	GLOBAL C3I AND EARLY WARNING	849,842	880,642
	PDI: Mission Partner Environment implementation		[30,800]
110	OTHER COMBAT OPS SPT PROGRAMS	1,067,055	1,067,055
120	CYBERSPACE ACTIVITIES	698,579	698,579
150	SPACE CONTROL SYSTEMS	34,194	34,194
160	US NORTHCOM/NORAD	204,268	204,268
170	US STRATCOM	526,809	526,809
180	US CYBERCOM	314,524	356,224
	Additional access and operations support		[25,000]
	Hunt Forward missions		[13,800]
	Secure the DODIN		[2,900]
190	US CENTCOM	186,116	186,116
200	US SOCOM	9,881	9,881
210	US TRANSCOM	1,046	1,046
230	USSPACECOM	249,022	249,022
9999	CLASSIFIED PROGRAMS	1,289,339	1,289,339
	SUBTOTAL OPERATING FORCES	25,815,885	26,079,540
MOBILIZATION			
240	AIRLIFT OPERATIONS	1,350,031	1,350,031
250	MOBILIZATION PREPAREDNESS	647,168	647,168
	SUBTOTAL MOBILIZATION	1,997,199	1,997,199
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	142,548	142,548
270	RECRUIT TRAINING	25,720	25,720
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	128,295	128,295
290	SPECIALIZED SKILL TRAINING	417,335	417,335
300	FLIGHT TRAINING	615,033	615,033
310	PROFESSIONAL DEVELOPMENT EDUCATION	298,795	298,795
320	TRAINING SUPPORT	85,844	85,844
330	RECRUITING AND ADVERTISING	155,065	135,065
	Ahead of need		[-20,000]
340	EXAMINING	4,474	4,474
350	OFF-DUTY AND VOLUNTARY EDUCATION	219,349	219,349
360	CIVILIAN EDUCATION AND TRAINING	361,570	361,570
370	JUNIOR ROTC	72,126	72,126
	SUBTOTAL TRAINING AND RECRUITING	2,526,154	2,506,154
ADMIN & SRVWD ACTIVITIES			
380	LOGISTICS OPERATIONS	672,426	672,426

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
390	TECHNICAL SUPPORT ACTIVITIES	145,130	145,130
400	ADMINISTRATION	851,251	851,251
410	SERVICEWIDE COMMUNICATIONS	28,554	28,554
420	OTHER SERVICEWIDE ACTIVITIES	1,188,414	1,188,414
430	CIVIL AIR PATROL	28,772	28,772
450	INTERNATIONAL SUPPORT	158,803	158,803
9999	CLASSIFIED PROGRAMS	1,338,009	1,338,009
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,411,359	4,411,359
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-765,956
	COVID-related ops/training slowdown		[-89,856]
	COVID-related throughput carryover adjustment		[-75,800]
	Excessive standard price for fuel		[-560,200]
	Foreign currency adjustments		[-40,100]
	SUBTOTAL UNDISTRIBUTED	0	-765,956
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	34,750,597	34,228,296
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	276,109	276,109
030	SPACE LAUNCH OPERATIONS	177,056	177,056
040	SPACE OPERATIONS	475,338	475,338
050	EDUCATION & TRAINING	18,660	18,660
060	SPECIAL PROGRAMS	137,315	137,315
070	DEPOT MAINTENANCE	250,324	250,324
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	1,063,969	1,063,969
	SUBTOTAL OPERATING FORCES	2,398,771	2,398,771
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
090	ADMINISTRATION	132,523	132,523
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	132,523	132,523
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-400
	Excessive standard price for fuel		[-400]
	SUBTOTAL UNDISTRIBUTED	0	-400
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	2,531,294	2,530,894
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,782,016	1,782,016
020	MISSION SUPPORT OPERATIONS	215,209	215,209
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	453,896	509,096
	KC-10 tanker divestment reversal		[48,400]
	KC-135 tanker divestment reversal		[3,400]
	Premature reduction of A-10 squadrons		[3,400]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	103,414	107,614
	FSRM increase		[4,200]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	224,977	224,977
060	BASE SUPPORT	452,468	452,468
070	CYBERSPACE ACTIVITIES	2,259	2,259
	SUBTOTAL OPERATING FORCES	3,234,239	3,293,639
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	74,258	74,258
090	RECRUITING AND ADVERTISING	23,121	18,121
	Ahead of need		[-5,000]
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,006	12,006
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,165	6,165
120	AUDIOVISUAL	495	495

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	116,045	111,045
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-73,163
	COVID-related ops/training slowdown		[-10,863]
	Excessive standard price for fuel		[-62,300]
	SUBTOTAL UNDISTRIBUTED	0	-73,163
	TOTAL OPERATION & MAINTENANCE, AF RE- SERVE	3,350,284	3,331,521
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,476,205	2,476,205
020	MISSION SUPPORT OPERATIONS	611,325	611,325
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,138,919	1,138,919
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	323,605	332,505
	FSRM increase		[8,900]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	1,100,828	1,100,828
060	BASE SUPPORT	962,438	962,438
070	CYBERSPACE SUSTAINMENT	27,028	27,028
080	CYBERSPACE ACTIVITIES	16,380	19,380
	Pilot program for National Guard cybersecurity		[3,000]
	SUBTOTAL OPERATING FORCES	6,656,728	6,668,628
	ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES		
090	ADMINISTRATION	48,218	48,218
100	RECRUITING AND ADVERTISING	48,696	33,696
	Ahead of need		[-15,000]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	96,914	81,914
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-122,052
	COVID-related ops/training slowdown		[-15,852]
	Excessive standard price for fuel		[-106,200]
	SUBTOTAL UNDISTRIBUTED	0	-122,052
	TOTAL OPERATION & MAINTENANCE, ANG	6,753,642	6,628,490
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	439,111	439,111
020	JOINT CHIEFS OF STAFF—CE2T2	535,728	535,728
030	JOINT CHIEFS OF STAFF—CYBER	24,728	24,728
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOP- MENT ACTIVITIES	1,069,971	1,072,971
	SOCOM Syria exfiltration reconstitution		[3,000]
050	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVI- TIES	9,800	9,800
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	561,907	561,907
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	685,097	707,097
	Airborne ISR restoration		[22,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPER- ATIONAL HEADQUARTERS	158,971	158,971
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUP- PORT	1,062,748	1,062,748
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	2,598,385	2,599,685
	Airborne ISR restoration		[1,300]
	SUBTOTAL OPERATING FORCES	7,146,446	7,172,746
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	162,963	162,963
130	JOINT CHIEFS OF STAFF	95,684	95,684
140	PROFESSIONAL DEVELOPMENT EDUCATION	33,301	33,301
	SUBTOTAL TRAINING AND RECRUITING	291,948	291,948

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
ADMIN & SRVWIDE ACTIVITIES			
160	CIVIL MILITARY PROGRAMS	147,993	179,893
	Innovative Readiness Training		[16,900]
	STARBASE		[15,000]
180	DEFENSE CONTRACT AUDIT AGENCY	604,835	604,835
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,282	3,282
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,370,681	1,427,081
	DWR restore activities		[56,400]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER ..	22,532	22,532
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	949,008	952,008
	DWR restore: Congressional oversight		[3,000]
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,577	9,577
260	DEFENSE HUMAN RESOURCES ACTIVITY	799,952	799,952
270	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	20,806	20,806
280	DEFENSE INFORMATION SYSTEMS AGENCY	1,883,190	1,923,190
	Secure the DODIN		[40,000]
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	582,639	577,939
	JRSS SIPR funding		[-4,700]
330	DEFENSE LEGAL SERVICES AGENCY	37,637	37,637
340	DEFENSE LOGISTICS AGENCY	382,084	385,684
	DWR restore: blankets for homeless		[3,600]
350	DEFENSE MEDIA ACTIVITY	196,997	196,997
360	DEFENSE PERSONNEL ACCOUNTING AGENCY	129,225	129,225
370	DEFENSE SECURITY COOPERATION AGENCY	598,559	598,559
	Defense Institute for International Legal Studies		[2,000]
	Institute for Security Governance		[-2,000]
	PDI: Maritime Security Initiative INDOPACOM UFR		[163,000]
	PDI: Transfer from Sec. 333 to Maritime Security Initiative		[-163,000]
400	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION ...	38,432	38,432
410	DEFENSE THREAT REDUCTION AGENCY	591,780	591,780
430	DEFENSE THREAT REDUCTION AGENCY—CYBER	24,635	24,635
440	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,941,429	3,012,929
	DWR restore: maintain student-teacher ratios in DODEA schools		[1,500]
	Impact Aid for children with severe disabilities		[20,000]
	Impact Aid for schools with military dependent students		[50,000]
450	MISSILE DEFENSE AGENCY	505,858	505,858
480	OFFICE OF ECONOMIC ADJUSTMENT	40,272	90,272
	Defense Community Infrastructure Program infusion		[50,000]
490	OFFICE OF THE SECRETARY OF DEFENSE	1,540,446	1,613,946
	AI National Security Commission		[2,500]
	Bien Hoa dioxin cleanup		[15,000]
	Black Start ERREs		[2,000]
	CDC PFAS health assessment		[10,000]
	Commission on Confederate symbols and displays		[2,000]
	Cooperative program for Vietnam personnel MLA		[2,000]
	DWR restore: Congressional background investigations		[-3,000]
	Energy performance contracts		[10,000]
	ESOH personnel in ASD(S)		[2,000]
	FY20 NDAA Sec. 575 interstate spousal licensing		[4,000]
	National Cyber Director independent study		[2,000]
	REPI		[25,000]
500	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	51,630	51,630
510	SPACE DEVELOPMENT AGENCY	48,166	48,166
530	WASHINGTON HEADQUARTERS SERVICES	340,291	343,291
	DWR restore: support to commissions		[3,000]
9999	CLASSIFIED PROGRAMS	17,348,749	17,348,749
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	31,210,685	31,538,885
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-172,839
	COVID-related ops/training slowdown		[-129,339]
	Excessive standard price for fuel		[-14,800]
	Foreign currency adjustments		[-28,700]
	SUBTOTAL UNDISTRIBUTED	0	-172,839

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE	38,649,079	38,830,740
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DE- FENSE	15,211	15,211
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,211	15,211
	TOTAL MISCELLANEOUS APPROPRIATIONS	15,211	15,211
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID ...	109,900	109,900
	SUBTOTAL OVERSEAS HUMANITARIAN, DIS- ASTER AND CIVIC AID	109,900	109,900
	TOTAL MISCELLANEOUS APPROPRIATIONS	109,900	109,900
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION		
010	COOPERATIVE THREAT REDUCTION	238,490	288,490
	DWR restore: Biological Threat Reduction Program		[50,000]
	SUBTOTAL COOPERATIVE THREAT REDUCTION ...	238,490	288,490
	TOTAL MISCELLANEOUS APPROPRIATIONS	238,490	288,490
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	58,181	156,680
	DWR restore OSD-level acquisition workforce activities		[98,499]
	SUBTOTAL ACQUISITION WORKFORCE DEVELOP- MENT	58,181	156,680
	TOTAL MISCELLANEOUS APPROPRIATIONS	58,181	156,680
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	TOTAL MISCELLANEOUS APPROPRIATIONS	207,518	207,518
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	TOTAL MISCELLANEOUS APPROPRIATIONS	335,932	335,932
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	303,926	303,926
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	303,926	303,926
	TOTAL MISCELLANEOUS APPROPRIATIONS	303,926	303,926
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,105	9,105
	SUBTOTAL ENVIRONMENTAL RESTORATION, DE- FENSE	9,105	9,105
	TOTAL MISCELLANEOUS APPROPRIATIONS	9,105	9,105

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
MISCELLANEOUS APPROPRIATIONS			
ENVIRONMENTAL RESTORATION FORMERLY USED SITES			
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,587	216,587
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,587	216,587
	TOTAL MISCELLANEOUS APPROPRIATIONS	216,587	216,587
	TOTAL OPERATION & MAINTENANCE	196,630,496	195,573,380

1 **SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS**

2 **CONTINGENCY OPERATIONS.**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY OPERATING FORCES			
010	MANEUVER UNITS	4,114,001	4,114,001
030	ECHELONS ABOVE BRIGADE	32,811	32,811
040	THEATER LEVEL ASSETS	2,542,760	2,545,410
	EDI: Support to deterrent activities		[2,650]
050	LAND FORCES OPERATIONS SUPPORT	162,557	162,557
060	AVIATION ASSETS	204,396	204,396
070	FORCE READINESS OPERATIONS SUPPORT	5,716,734	5,721,224
	EDI: Support to deterrent activities PE 0202218A		[1,490]
	EDI: Support to deterrent activities PE 1001010A		[3,000]
080	LAND FORCES SYSTEMS READINESS	180,048	180,048
090	LAND FORCES DEPOT MAINTENANCE	81,125	81,125
100	BASE OPERATIONS SUPPORT	219,029	219,029
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	301,017	301,017
130	ADDITIONAL ACTIVITIES	966,649	966,649
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM	2,500	2,000
	Hero payments funded by ASFF		[-500]
150	RESET	403,796	403,796
160	US AFRICA COMMAND	100,422	100,422
170	US EUROPEAN COMMAND	120,043	144,143
	EDI: Continuity of operations support		[2,100]
	EDI: Modernizing Mission Partner Environment (MPE)		[22,000]
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	98,461	98,461
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	21,256	21,256
	SUBTOTAL OPERATING FORCES	15,267,605	15,298,345
MOBILIZATION			
230	ARMY PREPOSITIONED STOCKS	103,052	103,052
	SUBTOTAL MOBILIZATION	103,052	103,052
TRAINING AND RECRUITING			
290	SPECIALIZED SKILL TRAINING	89,943	89,943
320	TRAINING SUPPORT	2,550	2,550
	SUBTOTAL TRAINING AND RECRUITING	92,493	92,493
ADMIN & SRVWIDE ACTIVITIES			
390	SERVICEWIDE TRANSPORTATION	521,090	521,090
400	CENTRAL SUPPLY ACTIVITIES	43,897	43,897
410	LOGISTIC SUPPORT ACTIVITIES	68,423	68,423
420	AMMUNITION MANAGEMENT	29,162	29,162
440	SERVICEWIDE COMMUNICATIONS	11,447	11,447
470	OTHER SERVICE SUPPORT	5,839	5,839
490	REAL ESTATE MANAGEMENT	48,782	48,782
510	INTERNATIONAL MILITARY HEADQUARTERS	50,000	50,000

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
9999	CLASSIFIED PROGRAMS	895,964	895,964
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	1,674,604	1,674,604
	TOTAL OPERATION & MAINTENANCE, ARMY	17,137,754	17,168,494
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	17,193	17,193
060	FORCE READINESS OPERATIONS SUPPORT	440	440
090	BASE OPERATIONS SUPPORT	15,766	15,766
	SUBTOTAL OPERATING FORCES	33,399	33,399
	TOTAL OPERATION & MAINTENANCE, ARMY RES	33,399	33,399
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	25,746	25,746
020	MODULAR SUPPORT BRIGADES	40	40
030	ECHELONS ABOVE BRIGADE	983	983
040	THEATER LEVEL ASSETS	22	22
060	AVIATION ASSETS	20,624	20,624
070	FORCE READINESS OPERATIONS SUPPORT	7,914	7,914
100	BASE OPERATIONS SUPPORT	24,417	24,417
	SUBTOTAL OPERATING FORCES	79,746	79,746
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	46	46
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	46	46
	TOTAL OPERATION & MAINTENANCE, ARNG	79,792	79,792
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,065,932	1,065,932
020	INFRASTRUCTURE	64,501	64,501
030	EQUIPMENT AND TRANSPORTATION	47,854	47,854
040	TRAINING AND OPERATIONS	56,780	56,780
	SUBTOTAL AFGHAN NATIONAL ARMY	1,235,067	1,235,067
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	434,500	434,500
060	INFRASTRUCTURE	448	448
070	EQUIPMENT AND TRANSPORTATION	108,231	108,231
080	TRAINING AND OPERATIONS	58,993	58,993
	SUBTOTAL AFGHAN NATIONAL POLICE	602,172	602,172
	AFGHAN AIR FORCE		
090	SUSTAINMENT	534,102	534,102
100	INFRASTRUCTURE	9,532	9,532
110	EQUIPMENT AND TRANSPORTATION	58,487	58,487
120	TRAINING AND OPERATIONS	233,803	233,803
	SUBTOTAL AFGHAN AIR FORCE	835,924	835,924
	AFGHAN SPECIAL SECURITY FORCES		
130	SUSTAINMENT	680,024	680,024
140	INFRASTRUCTURE	2,532	2,532
150	EQUIPMENT AND TRANSPORTATION	486,808	486,808
160	TRAINING AND OPERATIONS	173,085	173,085
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	1,342,449	1,342,449
	TOTAL AFGHANISTAN SECURITY FORCES FUND ..	4,015,612	4,015,612
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	382,062	382,062
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	832	832
040	AIR OPERATIONS AND SAFETY SUPPORT	17,840	17,840
050	AIR SYSTEMS SUPPORT	210,692	210,692
060	AIRCRAFT DEPOT MAINTENANCE	170,580	170,580
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	5,854	5,854

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
080	AVIATION LOGISTICS	33,707	33,707
090	MISSION AND OTHER SHIP OPERATIONS	5,817,696	5,817,696
100	SHIP OPERATIONS SUPPORT & TRAINING	20,741	20,741
110	SHIP DEPOT MAINTENANCE	2,072,470	2,072,470
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	59,254	59,254
140	SPACE SYSTEMS AND SURVEILLANCE	18,000	18,000
150	WARFARE TACTICS	17,324	17,324
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,581	22,581
170	COMBAT SUPPORT FORCES	772,441	772,441
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	5,788	5,788
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	24,800	24,800
220	CYBERSPACE ACTIVITIES	369	369
240	WEAPONS MAINTENANCE	567,247	567,247
250	OTHER WEAPON SYSTEMS SUPPORT	12,571	12,571
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	70,041	70,041
280	BASE OPERATING SUPPORT	218,792	218,792
	SUBTOTAL OPERATING FORCES	10,521,682	10,521,682
	MOBILIZATION		
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	22,589	22,589
	SUBTOTAL MOBILIZATION	22,589	22,589
	TRAINING AND RECRUITING		
370	SPECIALIZED SKILL TRAINING	53,204	53,204
	SUBTOTAL TRAINING AND RECRUITING	53,204	53,204
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	9,983	9,983
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,805	7,805
480	SERVICEWIDE TRANSPORTATION	72,097	72,097
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	11,354	11,354
520	INVESTIGATIVE AND SECURITY SERVICES	1,591	1,591
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	102,830	102,830
	TOTAL OPERATION & MAINTENANCE, NAVY	10,700,305	10,700,305
	OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	727,989	745,489
	EDI: Globally Integrated Exercise 20-4/Austere Challenge 21.3		[10,000]
	EDI: Marine European training program		[7,500]
020	FIELD LOGISTICS	195,001	195,001
030	DEPOT MAINTENANCE	55,183	55,183
050	CYBERSPACE ACTIVITIES	10,000	10,000
070	BASE OPERATING SUPPORT	24,569	24,569
	SUBTOTAL OPERATING FORCES	1,012,742	1,030,242
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	28,458	28,458
	SUBTOTAL TRAINING AND RECRUITING	28,458	28,458
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	61,400	61,400
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	1,102,600	1,120,100
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
020	INTERMEDIATE MAINTENANCE	522	522
030	AIRCRAFT DEPOT MAINTENANCE	11,861	11,861
080	COMBAT SUPPORT FORCES	9,109	9,109
	SUBTOTAL OPERATING FORCES	21,492	21,492
	TOTAL OPERATION & MAINTENANCE, NAVY RES	21,492	21,492

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	7,627	7,627
040	BASE OPERATING SUPPORT	1,080	1,080
	SUBTOTAL OPERATING FORCES	8,707	8,707
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	8,707	8,707
OPERATION & MAINTENANCE, AIR FORCE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	125,551	125,551
020	COMBAT ENHANCEMENT FORCES	916,538	916,538
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) ...	93,970	93,970
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,528,059	3,528,059
050	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	147,264	147,264
060	CYBERSPACE SUSTAINMENT	10,842	10,842
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	7,187,100	7,217,545
	Transfer from base		[30,445]
080	FLYING HOUR PROGRAM	2,031,548	2,031,548
090	BASE SUPPORT	1,540,444	1,540,444
100	GLOBAL C3I AND EARLY WARNING	13,709	13,709
110	OTHER COMBAT OPS SPT PROGRAMS	345,800	345,800
120	CYBERSPACE ACTIVITIES	17,936	17,936
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,820	36,820
140	LAUNCH FACILITIES	70	70
150	SPACE CONTROL SYSTEMS	1,450	1,450
160	US NORTHCOM/NORAD	725	725
170	US STRATCOM	856	856
180	US CYBERCOM	35,189	35,189
190	US CENTCOM	126,934	126,934
	SUBTOTAL OPERATING FORCES	16,160,805	16,191,250
MOBILIZATION			
240	AIRLIFT OPERATIONS	1,271,439	1,271,439
250	MOBILIZATION PREPAREDNESS	120,866	120,866
	SUBTOTAL MOBILIZATION	1,392,305	1,392,305
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	200	200
270	RECRUIT TRAINING	352	352
290	SPECIALIZED SKILL TRAINING	27,010	27,010
300	FLIGHT TRAINING	844	844
310	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199
320	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	30,925	30,925
ADMIN & SRVWD ACTIVITIES			
380	LOGISTICS OPERATIONS	164,701	164,701
390	TECHNICAL SUPPORT ACTIVITIES	11,782	11,782
400	ADMINISTRATION	3,886	3,886
410	SERVICEWIDE COMMUNICATIONS	355	355
420	OTHER SERVICEWIDE ACTIVITIES	100,831	85,831
	OSC-I transition to normalized security cooperation		[-15,000]
450	INTERNATIONAL SUPPORT	29,928	29,928
9999	CLASSIFIED PROGRAMS	34,502	34,502
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	345,985	330,985
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	17,930,020	17,945,465
OPERATION & MAINTENANCE, SPACE FORCE			
OPERATING FORCES			
020	GLOBAL C3I & EARLY WARNING	227	227
030	SPACE LAUNCH OPERATIONS	321	321
040	SPACE OPERATIONS	15,135	15,135
070	DEPOT MAINTENANCE	18,268	18,268
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	43,164	43,164
	SUBTOTAL OPERATING FORCES	77,115	77,115

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	77,115	77,115
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	24,408	24,408
060	BASE SUPPORT	5,682	5,682
	SUBTOTAL OPERATING FORCES	30,090	30,090
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	30,090	30,090
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,739	3,739
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	61,862	61,862
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	97,108	97,108
060	BASE SUPPORT	12,933	12,933
	SUBTOTAL OPERATING FORCES	175,642	175,642
	TOTAL OPERATION & MAINTENANCE, ANG	175,642	175,642
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	3,799	3,799
020	JOINT CHIEFS OF STAFF—CE2T2	6,634	6,634
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	898,024	898,024
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,244,553	1,244,553
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	354,951	381,951
	Airborne ISR restoration		[27,000]
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	104,535	104,535
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	757,744	757,744
	SUBTOTAL OPERATING FORCES	3,370,240	3,397,240
	ADMIN & SRVWIDE ACTIVITIES		
180	DEFENSE CONTRACT AUDIT AGENCY	1,247	1,247
210	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
280	DEFENSE INFORMATION SYSTEMS AGENCY	56,256	56,256
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,524	3,524
330	DEFENSE LEGAL SERVICES AGENCY	156,373	156,373
350	DEFENSE MEDIA ACTIVITY	3,555	3,555
370	DEFENSE SECURITY COOPERATION AGENCY	1,557,763	1,880,263
	Transfer from CTEF for Iraq train and equip requirements ..		[322,500]
410	DEFENSE THREAT REDUCTION AGENCY	297,486	297,486
490	OFFICE OF THE SECRETARY OF DEFENSE	16,984	16,984
530	WASHINGTON HEADQUARTERS SERVICES	1,997	1,997
9999	CLASSIFIED PROGRAMS	535,106	535,106
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,652,014	2,974,514
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	6,022,254	6,371,754
	TOTAL OPERATION & MAINTENANCE	57,334,782	57,747,967

1 **TITLE XLIV—MILITARY**
 2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)		
Item	FY 2021 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	150,524,104	147,976,014
COVID related endstrength decreases		[-755,000]
Foreign currency adjustments, Air Force		[-81,800]
Foreign currency adjustments, Army		[-44,400]
Foreign currency adjustments, Marine Corps		[-13,900]
Foreign currency adjustments, Navy		[-41,300]
Military personnel historical underexecution		[-1,611,690]
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	150,524,104	147,976,014
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	8,372,741	8,372,741
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	8,372,741	8,372,741
TOTAL MILITARY PERSONNEL	158,896,845	156,348,755

4 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**
 5 **GENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)		
Item	FY 2021 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	4,602,593	4,602,593
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	4,602,593	4,602,593
TOTAL MILITARY PERSONNEL	4,602,593	4,602,593

6 **TITLE XLV—OTHER**
 7 **AUTHORIZATIONS**

8 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
010	INDUSTRIAL OPERATIONS	32,551	5,551
	One-time COVID-related carryover decrease		[-27,000]
020	SUPPLY MANAGEMENT—ARMY	24,166	1,166
	One-time COVID-related carryover decrease		[-23,000]
	SUBTOTAL WORKING CAPITAL FUND, ARMY	56,717	6,717
	WORKING CAPITAL FUND, AIR FORCE		
020	SUPPLIES AND MATERIALS	95,712	5,712
	Air Force cash corpus for energy optimization		[10,000]
	One-time COVID-related carryover decrease		[-100,000]
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	191,424	101,424
	WORKING CAPITAL FUND, DEFENSE-WIDE		
020	SUPPLY CHAIN MANAGEMENT—DEF	49,821	49,821
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	49,821	49,821
	WORKING CAPITAL FUND, DECA		
010	WORKING CAPITAL FUND, DECA	1,146,660	1,146,660
	SUBTOTAL WORKING CAPITAL FUND, DECA	1,146,660	1,146,660
	TOTAL WORKING CAPITAL FUND	1,444,622	1,304,622
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	106,691	106,691
	SUBTOTAL OPERATION & MAINTENANCE	106,691	106,691
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	782,193	782,193
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND		
	EVALUATION	782,193	782,193
	PROCUREMENT		
3	CHEM DEMILITARIZATION—PROC	616	616
	SUBTOTAL PROCUREMENT	616	616
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION ...	889,500	889,500
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTRDCTN		
010	COUNTER-NARCOTICS SUPPORT	546,203	562,003
	PDI: Joint Interagency Task Force—West Project 3309		[13,000]
	PDI: Joint Interagency Task Force—West Project 9202		[2,800]
	SUBTOTAL DRUG INTRDCTN	546,203	562,003
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	123,704	123,704
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	123,704	123,704
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
030	NATIONAL GUARD COUNTER-DRUG PROGRAM	94,211	94,211
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PRO-		
	GRAM	94,211	94,211
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
040	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,511	5,511
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG		
	SCHOOLS	5,511	5,511
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVI-		
	TIES, DEF	769,629	785,429
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL	368,279	368,279
030	OFFICE OF THE INSPECTOR GENERAL—CYBER	1,204	1,204
040	OFFICE OF THE INSPECTOR GENERAL	1,098	1,098
050	OFFICE OF THE INSPECTOR GENERAL	858	858
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	371,439	371,439

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	TOTAL OFFICE OF THE INSPECTOR GENERAL	371,439	371,439
	DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	9,560,564	9,560,564
020	PRIVATE SECTOR CARE	15,841,887	15,841,887
030	CONSOLIDATED HEALTH SUPPORT	1,338,269	1,338,269
040	INFORMATION MANAGEMENT	2,039,910	2,039,910
050	MANAGEMENT ACTIVITIES	330,627	330,627
060	EDUCATION AND TRAINING	315,691	315,691
070	BASE OPERATIONS/COMMUNICATIONS	1,922,605	1,927,605
	National Disaster Medical System pilot program		[5,000]
	SUBTOTAL OPERATION & MAINTENANCE	31,349,553	31,354,553
	RDT&E		
080	R&D RESEARCH	8,913	8,913
090	R&D EXPLORATORY DEVELOPMENT	73,984	73,984
100	R&D ADVANCED DEVELOPMENT	225,602	225,602
110	R&D DEMONSTRATION/VALIDATION	132,331	132,331
120	R&D ENGINEERING DEVELOPMENT	55,748	55,748
130	R&D MANAGEMENT AND SUPPORT	48,672	48,672
140	R&D CAPABILITIES ENHANCEMENT	17,215	17,215
	SUBTOTAL RDT&E	562,465	562,465
	PROCUREMENT		
150	PROC INITIAL OUTFITTING	22,932	22,932
160	PROC REPLACEMENT & MODERNIZATION	215,618	215,618
170	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	70,872	70,872
180	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MOD- ERNIZATION	308,504	308,504
	SUBTOTAL PROCUREMENT	617,926	617,926
	SOFTWARE & DIGITAL TECHNOLOGY PILOT PRO- GRAMS		
190	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
	SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
	TOTAL DEFENSE HEALTH PROGRAM	32,690,372	32,695,372
	TOTAL OTHER AUTHORIZATIONS	36,711,765	36,592,565

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**
2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
020	SUPPLY MANAGEMENT—ARMY	20,090	20,090
	SUBTOTAL WORKING CAPITAL FUND, ARMY	20,090	20,090
	TOTAL WORKING CAPITAL FUND	20,090	20,090
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
	TOTAL OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
	DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE		

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
010	IN-HOUSE CARE	65,072	65,072
020	PRIVATE SECTOR CARE	296,828	296,828
030	CONSOLIDATED HEALTH SUPPORT	3,198	3,198
	SUBTOTAL OPERATION & MAINTENANCE	365,098	365,098
	TOTAL DEFENSE HEALTH PROGRAM	365,098	365,098
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	645,000	322,500
	Transfer traditional BPC activities to DSCA		[-322,500]
020	SYRIA	200,000	200,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	845,000	522,500
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	845,000	522,500
	TOTAL OTHER AUTHORIZATIONS	1,254,257	931,757

1 **TITLE XLVI—MILITARY**
2 **CONSTRUCTION**

3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	Alaska			
Army	Fort Wainwright	Child Development Center	0	55,000
Army	Fort Wainwright	Unaccompanied Enlisted Personnel Housing ...	0	59,000
	Arizona			
Army	Yuma Proving Ground	Ready Building	14,000	14,000
	California			
Army	Military Ocean Terminal Concord	Ammunition Holding Facility	0	46,000
	Colorado			
Army	Fort Carson	Physical Fitness Facility	28,000	28,000
	Florida			
Army	JLATF-S Operations Center	Planning & Design	0	8,000
	Georgia			
Army	Fort Gillem	Forensic Laboratory	71,000	71,000
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph3 ..	80,000	80,000
	Hawaii			
Army	Aliamantu Military Reservation	Child Development Center—School Age	0	71,000
Army	Schofield Barracks	Child Development Center	0	39,000
Army	Wheeler Army Air Field	Aircraft Maintenance Hangar	89,000	89,000
	Italy			
Army	Casmera Renato Dal Din	Access Control Point	0	10,200
	Louisiana			
Army	Fort Polk	Information Systems Facility	25,000	25,000
	Oklahoma			
Army	McAlester AAP	Ammunition Demolition Shop	35,000	35,000
	Pennsylvania			
Army	Carlisle Barracks	General Instruction Building (Ine 2)	38,000	8,000
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph2	0	7,000
	Virginia			
Army	Humphreys Engineer Center	Training Support Facility	51,000	51,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Planning and Design	129,436	59,436
Army	Unspecified Worldwide Locations	Host Nation Support	39,000	39,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	50,900	74,900
SUBTOTAL ARMY			650,336	869,536
NAVY				
Navy	Bahrain Island SW Asia	Ship to Shore Utility Services	68,340	68,340
Navy	California	Camp Pendleton Combat Water Survival Training Facility	0	25,200
Navy	Camp Pendleton	Warehouse Consolidation and Modernization ..	0	21,800
Navy	Camp Pendleton	I MEF Consolidated Information Center (INC).	37,000	37,000
Navy	Camp Pendleton	1st MARDIV Operations Complex	68,530	68,530
Navy	Lemoore	F-35C Simulator Facility & Electrical Upgrade.	59,150	59,150
Navy	Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4)	128,070	53,000
Navy	Point Mugu	Directed Energy Test Facility	0	26,700
Navy	Port Hueneme	Combat Vehicle Maintenance Facilities	0	43,500
Navy	San Diego	Pier 6 Replacement	128,500	63,500
Navy	Seal Beach	Magazines	0	46,800
Navy	Twentynine Palms	Wastewater Treatment Plant	76,500	76,500
Navy	Greece	Souda Bay Communication Center	50,180	50,180
Navy	Guam	Andersen Air Force Base Ordnance Operations Admin	21,280	21,280
Navy	Joint Region Marianas	DAR Road Strengthening	70,760	70,760
Navy	Joint Region Marianas	DAR Bridge Improvements	40,180	40,180
Navy	Joint Region Marianas	Central Fuel Station	35,950	17,950
Navy	Joint Region Marianas	Distribution Warehouse	77,930	77,930
Navy	Joint Region Marianas	Combined EOD Facility	37,600	37,600
Navy	Joint Region Marianas	Bachelor Enlisted Quarters (Inc)	80,000	10,000
Navy	Joint Region Marianas	Joint Communication Upgrade	166,000	26,000
Navy	Joint Region Marianas	Base Warehouse	53,410	53,410
Navy	Joint Region Marianas	Individual Combat Skills Training	17,430	17,430
Navy	Joint Region Marianas	Central Issue Facility	45,290	45,290
Navy	Hawaii	Joint Base Pearl Harbor-Hickam Waterfront Improvements Wharves S8-S10	65,910	65,910
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improve, Wharves S1,S11-13,S20-21.	48,990	48,990
Navy	Honduras	Comalapa Long Range Maritime Patrol Aircraft Hangar and Ramp.	0	28,000
Navy	Japan	Yokosuka Pier 5 (Berths 2 and 3) (Inc)	74,692	44,692
Navy	Maine	Kittery Multi-Mission Drydock #1 Exten., Ph 1 (Inc)	160,000	160,000
Navy	NCTAMS LANT Detachment Cutler	Perimeter Security	0	26,100
Navy	Nevada	Fallon Range Training Complex, Phase 1	29,040	29,040
Navy	North Carolina	Camp Lejeune II MEF Operations Center Replacement (Inc)	20,000	20,000
Navy	Cherry Point	Fitness Center Replacement and Training Pool.	0	51,900
Navy	Spain	Rota MH-60R Squadron Support Facilities	60,110	60,110
Navy	Virginia	Norfolk Sub Logistics Support	0	9,400
Navy	Norfolk	MH60 & CMV-22B Corrosion Control & Paint Facility.	17,671	17,671
Navy	Norfolk	E-2D Training Facility	30,400	30,400
Navy	Worldwide Unspecified	Unspecified Worldwide Locations Unspecified Minor Construction	38,983	38,983
Navy	Unspecified Worldwide Locations	Planning & Design	165,710	165,710
SUBTOTAL NAVY			1,975,606	1,856,936
AIR FORCE				
Air Force	Colorado	Schriever Air Force Base Consolidated Space Operations Facility, (Inc 2).	88,000	88,000
Air Force	United States Air Force Academy	Cadet Preparatory School Dormitory	0	49,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
	Guam			
Air Force	Joint Region Marianas	Stand Off Weapons Complex, MSA 2	56,000	56,000
	Mariana Islands			
Air Force	Tinian	Fuel Tanks With Pipeline & Hydrant Sys, (Inc 2).	7,000	7,000
Air Force	Tinian	Airfield Development Phase 1, (Inc 2)	20,000	20,000
Air Force	Tinian	Parking Apron, (Inc 2)	15,000	15,000
	Montana			
Air Force	Malmstrom Air Force Base	Weapons Storage & Maintenance Facility, (Inc 2).	25,000	25,000
	New Jersey			
Air Force	Joint Base McGuire-Dix-Lakehurst	Munitions Storage Area	22,000	22,000
	Qatar			
Air Force	Al Udeid	Cargo Marshalling Yard	26,000	26,000
	South Dakota			
Air Force	Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility	0	10,000
	Texas			
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 8, (Inc 2)	36,000	36,000
Air Force	Joint Base San Antonio	T-X ADAL Ground Based Trng Sys Sim	19,500	19,500
	Utah			
Air Force	Hill Air Force Base	GBSD Organic Software Sustainment Center	0	20,000
Air Force	Hill Air Force Base	GBSD Mission Integration Facility, (Inc 2) ...	68,000	68,000
	Virginia			
Air Force	Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq.	19,500	19,500
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Cost to Complete	0	29,422
Air Force	Unspecified Worldwide Locations	Planning & Design	296,532	116,532
Air Force	Unspecified Worldwide Locations	Unspecified Minor Construction	68,600	68,600
SUBTOTAL AIR FORCE			767,132	695,554
DEFENSE-WIDE				
	Alabama			
Defense-Wide	Anniston Army Depot	Demilitarization Facility	18,000	18,000
	Alaska			
Defense-Wide	Fort Greely	Communications Center	48,000	48,000
	Alabama			
Defense-Wide	Fort Rucker	Construct 10mw Generation & Microgrid	0	24,000
	Arizona			
Defense-Wide	Fort Huachuca	Laboratory Building	33,728	33,728
Defense-Wide	Yuma	SOF Hangar	49,500	49,500
	Arkansas			
Defense-Wide	Fort Smith Air National Guard Base	PV Arrays and Battery Storage	0	2,600
	California			
Defense-Wide	Beale Air Force Base	Bulk Fuel Tank	22,800	22,800
	Colorado			
Defense-Wide	Fort Carson	SOF Tactical Equipment Maintenance Facility	15,600	15,600
	CONUS Unspecified			
Defense-Wide	CONUS Unspecified	Training Target Structure	14,400	14,400
	Florida			
Defense-Wide	Hurlburt Field	SOF Special Tactics Ops Facility (23 STS) ...	44,810	44,810
Defense-Wide	Hurlburt Field	SOF Combat Aircraft Parking Apron-North ...	38,310	38,310
	Georgia			
Defense-Wide	Fort Benning	Construct 4.8mw Generation & Microgrid	0	17,000
	Germany			
Defense-Wide	Rhine Ordnance Barracks	Medical Center Replacement (Inc 9)	200,000	0
	Japan			
Defense-Wide	Def Fuel Support Point Tsurumi	Fuel Wharf	49,500	49,500
Defense-Wide	Yokosuka	Kinnick High School (Inc)	30,000	0
	Kentucky			
Defense-Wide	Fort Knox	Van Voorhis Elementary School	69,310	69,310
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration (Inc 4)	180,000	50,000
Defense-Wide	Fort Meade	NSAW Recapitalize Building #3 (Inc)	250,000	250,000
	Mississippi			
Defense-Wide	MTA Camp Shelby	Construct 10mw Generation Plant and Microgrid System.	0	30,000
	Missouri			

**SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)**

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Defense-Wide	Fort Leonard Wood	Hospital Replacement (Inc 3)	40,000	40,000
Defense-Wide	St Louis	Next NGA West (N2W) Complex Phase 2 (Inc).	119,000	60,000
	New Mexico			
Defense-Wide	Kirtland Air Force Base	Administrative Building	46,600	46,600
	North Carolina			
Defense-Wide	Fort Bragg	SOTF Chilled Water Upgrade	0	6,100
Defense-Wide	Fort Bragg	SOF Military Working Dog Facility	17,700	17,700
Defense-Wide	Fort Bragg	SOF Group Headquarters	53,100	53,100
Defense-Wide	Fort Bragg	SOF Operations Facility	43,000	43,000
	Ohio			
Defense-Wide	Wright-Patterson Air Force Base	Intelligence Facility Central Utility Plant	0	35,000
Defense-Wide	Wright-Patterson Air Force Base	Hydrant Fuel System	23,500	23,500
	Tennessee			
Defense-Wide	Memphis International Airport	PV Arrays and Battery Storage	0	4,780
	Texas			
Defense-Wide	Fort Hood	Fuel Facilities	32,700	32,700
	Virginia			
Defense-Wide	Joint Expeditionary Base Little Creek—Story	SOF DCS Operations Fac. and Command Center.	54,500	54,500
Defense-Wide	Joint Expeditionary Base Little Creek—Story	SOF NSWG—2 NSWTG CSS Facilities	58,000	58,000
	Washington			
Defense-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis North)	10,900	10,900
Defense-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis Main)	10,900	10,900
Defense-Wide	Manchester	Bulk Fuel Storage Tanks Phase 1	82,000	82,000
	Washington DC			
Defense-Wide	Joint Base Anacostia-Bolling	DIA HQ Cooling Towers and Cond Pumps	0	1,963
Defense-Wide	Joint Base Anacostia-Bolling	Industrial Controls System Modernization	0	8,749
Defense-Wide	Joint Base Anacostia-Bolling	PV Carports	0	25,221
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	8,000	8,000
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	27,746	27,746
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	4,922	4,922
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	17,698	17,698
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	20,000	20,000
Defense-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	142,500	142,500
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	10,647	10,647
Defense-Wide	Unspecified Worldwide Locations	ERCIP Design	14,250	14,250
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	10,303	10,303
Defense-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,840	5,840
Defense-Wide	Various Worldwide Locations	Planning and Design	32,624	32,624
Defense-Wide	Various Worldwide Locations	Unspecified Minor Construction	9,726	9,726
Defense-Wide	Various Worldwide Locations	Planning and Design	64,406	64,406
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Planning & Design—Military Installation Resiliency.	0	50,000
Defense-Wide	Unspecified Worldwide Locations	Planning & Design—Pacific Deterrence Initiative.	0	15,000
SUBTOTAL DEFENSE-WIDE			2,027,520	1,828,933

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
ARMY NATIONAL GUARD				
	Arizona			
Army National Guard	Tucson	National Guard Readiness Center	18,100	18,100
	Arkansas			
Army National Guard	Fort Chaffee	National Guard Readiness Center	0	15,000
	California			
Army National Guard	Bakersfield	National Guard Vehicle Maintenance Shop	0	9,300
	Colorado			
Army National Guard	Peterson Air Force Base	National Guard Readiness Center	15,000	15,000
	Indiana			
Army National Guard	Shelbyville	National Guard/Reserve Center Building Add/Alt.	12,000	12,000
	Kentucky			
Army National Guard	Frankfort	National Guard/Reserve Center Building	15,000	15,000
	Mississippi			
Army National Guard	Brandon	National Guard Vehicle Maintenance Shop	10,400	10,400
	Nebraska			
Army National Guard	North Platte	National Guard Vehicle Maintenance Shop	9,300	9,300
	New Jersey			
Army National Guard	Joint Base McGuire-Dix-Lakehurst	National Guard Readiness Center	15,000	15,000
	Ohio			
Army National Guard	Columbus	National Guard Readiness Center	15,000	15,000
	Oklahoma			
Army National Guard	Ardmore	National Guard Vehicle Maintenance Shop	0	9,800
	Oregon			
Army National Guard	Hermiston	Enlisted Barracks, Transient Training	0	15,735
Army National Guard	Hermiston	Enlisted Barracks, Transient Training	9,300	9,300
	Puerto Rico			
Army National Guard	Fort Allen	National Guard Readiness Center	37,000	37,000
	South Carolina			
Army National Guard	Joint Base Charleston	National Guard Readiness Center	15,000	15,000
	Tennessee			
Army National Guard	Memphis	National Guard Readiness Center	11,200	11,200
	Texas			
Army National Guard	Fort Worth	National Guard Vehicle Maintenance Shop	7,800	7,800
Army National Guard	Fort Worth	Aircraft Maintenance Hangar Addition/Alt	6,000	6,000
	Utah			
Army National Guard	Nephi	National Guard Readiness Center	12,000	12,000
	Virgin Islands			
Army National Guard	St. Croix	Army Aviation Support Facility (AASF)	28,000	28,000
Army National Guard	St. Croix	CST Ready Building	11,400	11,400
	Wisconsin			
Army National Guard	Appleton	National Guard Readiness Center Add/Alt	11,600	11,600
	Worldwide Unspecified			
Army National Guard	Unspecified Worldwide Locations	Unspecified Minor Construction	32,744	32,744
Army National Guard	Unspecified Worldwide Locations	Planning and Design	29,593	29,593
SUBTOTAL ARMY NATIONAL GUARD			321,437	371,272
AIR NATIONAL GUARD				
	Alabama			
Air National Guard	Montgomery Regional Airport	Base Supply Complex	0	12,000
Air National Guard	Montgomery Regional Airport	F-35 Simulator Facility	11,600	11,600
	Guam			
Air National Guard	Joint Region Marianas	Space Control Facility #5	20,000	20,000
	Maryland			
Air National Guard	Joint Base Andrews	F-16 Mission Training Center	9,400	9,400
	North Dakota			
Air National Guard	Hector International Airport	Consolidated RPA Operations Facility	0	17,500
	Texas			
Air National Guard	Joint Base San Antonio	F-16 Mission Training Center	10,800	10,800
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	Unspecified Minor Construction	9,000	9,000
Air National Guard	Various Worldwide Locations	Planning and Design	3,414	3,414
SUBTOTAL AIR NATIONAL GUARD			64,214	93,714
ARMY RESERVE				
	Florida			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Army Reserve	Gainesville Massachusetts	ECS TEMF/Warehouse	36,000	36,000
Army Reserve	Devens Reserve Forces Training Area North Carolina	Automated Multipurpose Machine Gun Range	8,700	8,700
Army Reserve	Asheville Wisconsin	Army Reserve Center/Land	24,000	24,000
Army Reserve	Fort McCoy	Transient Training Barracks	0	2,500
Army Reserve	Fort McCoy	Scout Reconnaissance Range	14,600	14,600
Army Reserve	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction	3,819	3,819
Army Reserve	Unspecified Worldwide Locations	Planning and Design	1,218	1,218
SUBTOTAL ARMY RESERVE			88,337	90,837
NAVY RESERVE				
Navy Reserve	Maryland Reisterstown	Reserve Training Center, Camp Fretterd, MD	39,500	39,500
Navy Reserve	Minnesota NOSC Minneapolis	Joint Reserve Intel Center	0	12,800
Navy Reserve	Utah Hill Air Force Base	Naval Operational Support Center	25,010	25,010
Navy Reserve	Worldwide Unspecified Unspecified Worldwide Locations	MCNR Planning & Design	3,485	3,485
Navy Reserve	Unspecified Worldwide Locations	MCNR Minor Construction	3,000	3,000
SUBTOTAL NAVY RESERVE			70,995	83,795
AIR FORCE RESERVE				
Air Force Reserve	Texas Fort Worth	F-35 Squadron Ops / Aircraft Maintenance Unit.	0	25,000
Air Force Reserve	Fort Worth	F-35A Simulator Facility	14,200	14,200
Air Force Reserve	Worldwide Unspecified Unspecified Worldwide Locations	Planning & Design	3,270	3,270
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	5,647	5,647
SUBTOTAL AIR FORCE RESERVE			23,117	48,117
NATO SECURITY INVESTMENT PROGRAM				
NATO Security In- vestment Program	Worldwide Unspecified NATO Security Invest- ment Program	NATO Security Investment Program	173,030	173,030
SUBTOTAL NATO SECURITY INVESTMENT PROGRAM			173,030	173,030
TOTAL MILITARY CONSTRUCTION			6,161,724	6,111,724
FAMILY HOUSING CONSTRUCTION, ARMY				
Construction, Army	Italy Vicenza	Family Housing New Construction	84,100	84,100
Construction, Army	Kwajalein Kwajalein Atoll	Family Housing Replacement Construction	32,000	32,000
Construction, Army	Worldwide Unspecified Unspecified Worldwide Locations	Family Housing P & D	3,300	3,300
SUBTOTAL CONSTRUCTION, ARMY			119,400	119,400
O&M, ARMY				
O&M, Army	Worldwide Unspecified Unspecified Worldwide Locations	Management	39,716	39,716
O&M, Army	Unspecified Worldwide Locations	Services	8,135	8,135
O&M, Army	Unspecified Worldwide Locations	Furnishings	18,004	18,004
O&M, Army	Unspecified Worldwide Locations	Miscellaneous	526	526
O&M, Army	Unspecified Worldwide Locations	Maintenance	97,789	70,789

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
O&M, Army	Unspecified Worldwide Locations	Utilities	41,183	41,183
O&M, Army	Unspecified Worldwide Locations	Leasing	123,841	123,841
O&M, Army	Unspecified Worldwide Locations	Housing Privatization Support	37,948	64,948
SUBTOTAL O&M, ARMY			367,142	367,142
CONSTRUCTION, NAVY AND MARINE CORPS				
Worldwide Unspecified				
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design	2,726	2,726
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Construction Improvements	37,043	37,043
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Planning & Design	3,128	3,128
SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS			42,897	42,897
O&M, NAVY AND MARINE CORPS				
Worldwide Unspecified				
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Utilities	58,429	58,429
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Furnishings	17,977	17,977
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Management	51,006	51,006
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Miscellaneous	350	350
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Services	16,743	16,743
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Leasing	62,658	62,658
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Maintenance	85,630	85,630
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Housing Privatization Support	53,700	78,700
SUBTOTAL O&M, NAVY AND MARINE CORPS			346,493	371,493
CONSTRUCTION, AIR FORCE				
Worldwide Unspecified				
Construction, Air Force	Unspecified Worldwide Locations	Construction Improvements	94,245	94,245
Construction, Air Force	Unspecified Worldwide Locations	Planning & Design	2,969	2,969
SUBTOTAL CONSTRUCTION, AIR FORCE			97,214	97,214
O&M, AIR FORCE				
Worldwide Unspecified				
O&M, Air Force	Unspecified Worldwide Locations	Housing Privatization	23,175	48,175
O&M, Air Force	Unspecified Worldwide Locations	Utilities	43,173	43,173
O&M, Air Force	Unspecified Worldwide Locations	Management	64,732	64,732
O&M, Air Force	Unspecified Worldwide Locations	Services	7,968	7,968
O&M, Air Force	Unspecified Worldwide Locations	Furnishings	25,805	25,805
O&M, Air Force	Unspecified Worldwide Locations	Miscellaneous	2,184	2,184
O&M, Air Force	Unspecified Worldwide Locations	Leasing	9,318	9,318
O&M, Air Force	Unspecified Worldwide Locations	Maintenance	140,666	140,666
SUBTOTAL O&M, AIR FORCE			317,021	342,021
O&M, DEFENSE-WIDE				
Worldwide Unspecified				
O&M, Defense-Wide	Unspecified Worldwide Locations	Utilities	4,100	4,100
O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings	82	82
O&M, Defense-Wide	Unspecified Worldwide Locations	Utilities	13	13

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing	12,996	12,996
O&M, Defense-Wide	Unspecified Worldwide Locations	Maintenance	32	32
O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings	645	645
O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing	36,860	36,860
SUBTOTAL O&M, DEFENSE-WIDE			54,728	54,728
IMPROVEMENT FUND				
Improvement Fund	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—FHIF	5,897	5,897
SUBTOTAL IMPROVEMENT FUND			5,897	5,897
UNACCOMP HSG IMPROVEMENT FUND				
Unacomp HSG Improvement Fund	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—UHIF	600	600
SUBTOTAL UNACCOMP HSG IMPROVEMENT FUND			600	600
TOTAL FAMILY HOUSING			1,351,392	1,401,392
DEFENSE BASE REALIGNMENT AND CLOSURE				
ARMY BRAC				
Army BRAC	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	66,060	66,060
SUBTOTAL ARMY BRAC			66,060	66,060
NAVY BRAC				
Navy BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	125,165	125,165
SUBTOTAL NAVY BRAC			125,165	125,165
AIR FORCE BRAC				
Air Force BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Dod BRAC Activities—Air Force	109,222	109,222
SUBTOTAL AIR FORCE BRAC			109,222	109,222
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			300,447	300,447
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			7,813,563	7,813,563

1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CON-
2 TINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	State or Country and Installation	Project Title	FY 2021 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
Army	Worldwide Unspecified Unspecified Worldwide Locations	EDI: Planning and Design	11,903	11,903
Army	Unspecified Worldwide Locations	EDI: Minor Construction	3,970	3,970
SUBTOTAL ARMY			15,873	15,873
NAVY				
Navy	Spain Rota	EDI: Expeditionary Maintenance Facility	27,470	27,470

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Navy	Rota	EDI: EOD Boat Shop	31,760	31,760
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	10,790	10,790
SUBTOTAL NAVY			70,020	70,020
AIR FORCE				
	Germany			
Air Force	Ramstein	EDI: Rapid Airfield Damage Repair Storage	36,345	36,345
Air Force	Spangdahlem AB	EDI: Rapid Airfield Damage Repair Storage	25,824	25,824
	Romania			
Air Force	Campia Turzii	EDI: Dangerous Cargo Pad	11,000	11,000
Air Force	Campia Turzii	EDI: POL Increase Capacity	32,000	32,000
Air Force	Campia Turzii	EDI: ECAOS DABS-FEV Storage Complex	68,000	68,000
Air Force	Campia Turzii	EDI: Parking Apron	19,500	19,500
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	EDI: Unspecified Minor Military Construction	16,400	16,400
	Various Worldwide Locations			
Air Force	Various Worldwide Locations	EDI: Planning & Design	54,800	54,800
SUBTOTAL AIR FORCE			263,869	263,869
TOTAL MILITARY CONSTRUCTION			349,762	349,762
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			349,762	349,762

1 **TITLE XLVII—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear energy	137,800	137,800
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Federal Salaries and Expenses	454,000	454,000
Weapons activities	15,602,000	15,602,000
Defense nuclear nonproliferation	2,031,000	2,031,000
Naval reactors	1,684,000	1,684,000
Total, National Nuclear Security Administration	19,771,000	19,771,000
Defense environmental cleanup	4,983,608	5,083,608
Other defense activities	1,054,727	904,727
Total, Atomic Energy Defense Activities	25,809,335	25,759,335
Total, Discretionary Funding	25,947,135	25,897,135

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2021 Request	Senate Authorized
Nuclear Energy		
Idaho sitewide safeguards and security	137,800	137,800
Total, Nuclear Energy	137,800	137,800
National Nuclear Security Administration		
Federal Salaries and Expenses		
Program direction	454,000	454,000
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	815,710	815,710
W76 Life extension program	0	0
W76-2 Modification program	0	0
W88 Alteration program	256,922	256,922
W80-4 Life extension program	1,000,314	1,000,314
W87-1 Modification Program (formerly IW1)	541,000	541,000
W93	53,000	53,000
Total, Stockpile major modernization	2,666,946	2,666,946
Stockpile sustainment	998,357	998,357
Weapons dismantlement and disposition	50,000	50,000
Production operations	568,941	568,941
Total, Stockpile management	4,284,244	4,284,244
Production modernization		
Primary capability modernization		
Plutonium modernization		
Los Alamos plutonium modernization		
Los Alamos Plutonium Operations	610,599	610,599
21-D-512, Plutonium Pit Production Project, LANL	226,000	226,000
Subtotal, Los Alamos plutonium modernization	836,599	836,599
Savannah River plutonium modernization		
Savannah River plutonium operations	200,000	200,000
21-D-511, Savannah River Plutonium Processing Facility, SRS	241,896	241,896
Subtotal, Savannah River plutonium modernization	441,896	441,896
Enterprise Plutonium Support	90,782	90,782
Total, Plutonium Modernization	1,369,277	1,369,277
High Explosives & Energetics	67,370	67,370
Total, Primary capability modernization	1,436,647	1,436,647
Secondary Capability Modernization	457,004	457,004
Tritium and Domestic Uranium Enrichment	457,112	457,112
Non-Nuclear Capability Modernization	107,137	107,137
Total, Production modernization	2,457,900	2,457,900
Stockpile research, technology, and engineering		
Assessment science	773,111	773,111
Engineering and integrated assessments	337,404	337,404
Intertial confinement fusion	554,725	554,725
Advanced simulation and computing	732,014	732,014
Weapon technology and manufacturing maturation	297,965	297,965
Academic programs	86,912	86,912
Total, Stockpile research, technology, and engineering	2,782,131	2,782,131
Infrastructure and operations		
Operating		
Operations of facilities	1,014,000	1,014,000
Safety and Environmental Operations	165,354	165,354
Maintenance and Repair of Facilities	792,000	792,000
Recapitalization		
Infrastructure and Safety	670,000	670,000
Capabilities Based Investments	149,117	149,117
Planning for Programmatic Construction (Pre-CD-1)	84,787	84,787
Subtotal, Recapitalization	903,904	903,904
Total, Operating	2,875,258	2,875,258
I&O: Construction		
Programmatic		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
21-D-510, HE Synthesis, Formulation, and Production Facility, PX	31,000	31,000
18-D-690, Lithium Processing Facility, Y-12	109,405	109,405
18-D-650, Tritium Finishing Facility, SRS	27,000	27,000
18-D-620, Exascale Computing Facility Modernization Project, LLNL	29,200	29,200
17-D-640, U1a Complex Enhancements Project, NNSS	160,600	160,600
15-D-302, TA-55 Reinvestment Project—Phase 3, LANL	30,000	30,000
15-D-301, HE Science & Engineering Facility, PX	43,000	43,000
07-D-220-04, Transuranic Liquid Waste Facility, LANL	36,687	36,687
06-D-141, Uranium Processing Facility, Y-12	750,000	750,000
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL	169,427	169,427
Total, Programmatic	1,386,319	1,386,319
Mission enabling		
19-D-670, 138kV Power Transmission System Replacement, NNSS	59,000	59,000
15-D-612, Emergency Operations Center, LLNL	27,000	27,000
15-D-611, Emergency Operations Center, SNL	36,000	36,000
Total, Mission enabling	122,000	122,000
Total, I&O construction	1,508,319	1,508,319
Total, Infrastructure and operations	4,383,577	4,383,577
Secure transportation asset		
Operations and equipment	266,390	266,390
Program direction	123,684	123,684
Total, Secure transportation asset	390,074	390,074
Defense nuclear security		
Operations and maintenance	815,895	815,895
Security improvements program	0	0
Construction:		
17-D-710, West end protected area reduction project, Y-12	11,000	11,000
Subtotal, construction	11,000	11,000
Total, Defense nuclear security	826,895	826,895
Information technology and cybersecurity	375,511	375,511
Legacy contractor pensions	101,668	101,668
Total, Weapons activities	16,056,000	16,056,000
Adjustments		
Use of prior year balances	0	0
Total, Adjustments	0	0
Total, Weapons Activities	15,602,000	15,602,000
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	170,000	170,000
Nuclear material removal	40,000	40,000
Material disposition	190,711	190,711
Laboratory and partnership support	0	0
Total, Material management & minimization	400,711	400,711
Global material security		0
International nuclear security	66,391	66,391
Domestic radiological security	101,000	101,000
International radiological security	73,340	73,340
Nuclear smuggling detection and deterrence	159,749	159,749
Total, Global material security	400,480	400,480
Nonproliferation and arms control	138,708	138,708
National Technical Nuclear Forensics R&D	40,000	40,000
Defense nuclear nonproliferation R&D		
Proliferation detection	235,220	235,220
Nonproliferation Stewardship program	59,900	59,900
Nuclear detonation detection	236,531	236,531
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	531,651	531,651

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Nonproliferation construction		
U. S. Construction:		
18-D-150 Surplus Plutonium Disposition Project	148,589	148,589
99-D-143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	0	0
Total, U. S. Construction:	148,589	148,589
Total, Nonproliferation construction	148,589	148,589
Total, Defense Nuclear Nonproliferation Programs	1,660,139	1,660,139
Legacy contractor pensions	14,348	14,348
Nuclear counterterrorism and incident response program		
Emergency Operations	36,000	36,000
Counterterrorism and Counterproliferation	341,513	341,513
Total, Nuclear counterterrorism and incident response pro- gram	377,513	377,513
Subtotal, Defense Nuclear Nonproliferation	2,052,000	2,052,000
Adjustments		
Use of prior year balances	-21,000	-21,000
Total, Adjustments	-21,000	-21,000
Total, Defense Nuclear Nonproliferation	2,031,000	2,031,000
Naval Reactors		
Naval reactors development	590,306	590,306
Columbia-Class reactor systems development	64,700	64,700
S8G Prototype refueling	135,000	135,000
Naval reactors operations and infrastructure	506,294	506,294
Program direction	53,700	53,700
Construction:		
21-D-530 KL Steam and Condensate Upgrades	4,000	4,000
14-D-901, Spent fuel handling recapitalization project, NRF	330,000	330,000
Total, Construction	334,000	334,000
Transfer to NE—Advanced Test Reactor (non-add)	0	0
Total, Naval Reactors	1,684,000	1,684,000
TOTAL, National Nuclear Security Administration	19,771,000	19,771,000
Defense Environmental Cleanup		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations	54,949	54,949
Central plateau remediation	498,335	498,335
Richland community and regulatory support	2,500	2,500
18-D-404 Modification of Waste Encapsulation and Storage Facility	0	0
Total, Richland	555,784	555,784
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	597,757	597,757
Construction:		
18-D-16 Waste treatment and immobilization plant—LBI/Di- rect feed LAW	609,924	609,924
15-D-409 Low activity waste pretreatment system, ORP	0	0
01-D-16 D, High-level waste facility	0	0
01-D-16 E, Pretreatment Facility	0	0
Total, Construction	609,924	609,924
ORP Low-level waste offsite disposal	0	0
Total, Office of River Protection	1,257,681	1,257,681
Idaho National Laboratory:		
Idaho cleanup and waste disposition	257,554	257,554
ID Excess facilities R&D	0	0
Idaho community and regulatory support	2,400	2,400
Total, Idaho National Laboratory	259,954	259,954
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,764	1,764
LLNL Excess facilities R&D	0	0

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Separations Process Research Unit	15,000	15,000
Nevada Test Site	60,737	60,737
Sandia National Laboratories	4,860	4,860
Los Alamos National Laboratory	120,000	220,000
Execute achievable scope of work		(100,000)
Total, NNSA sites and Nevada off-sites	202,361	302,361
Oak Ridge Reservation:		
OR Nuclear facility D & D	109,077	109,077
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition	58,000	58,000
Construction:		
17-D-401 On-site waste disposal facility	22,380	22,380
14-D-403 Outfall 200 Mercury Treatment Facility	20,500	20,500
Subtotal, Construction:	42,880	42,880
OR community & regulatory support	4,930	4,930
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	262,887	262,887
Savannah River Site:		
Savannah River risk management operations	455,122	455,122
SR community and regulatory support	4,989	4,989
Radioactive liquid tank waste:		
Construction:		
20-D-402 Advanced Manufacturing Collaborative Facility (AMC) ...	25,000	25,000
20-D-401 Saltstone Disposal Unit #10, 11, 12	0	0
19-D-701 SR Security system replacement	0	0
18-D-402, Saltstone disposal unit #8/9	65,500	65,500
17-D-402—Saltstone Disposal Unit #7	10,716	10,716
05-D-405 Salt waste processing facility, SRS	0	0
Total, Construction, Radioactive liquid tank waste	101,216	101,216
Radioactive liquid tank waste stabilization	970,332	970,332
Total, Savannah River Site	1,531,659	1,531,659
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	323,260	323,260
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	0	0
15-D-412 Exhaust shaft, WIPP	50,000	50,000
21-D-401 Hoisting Capability Project	10,000	10,000
Total, Construction	60,000	60,000
Total, Waste Isolation Pilot Plant	383,260	383,260
Program direction—Defense Environment Cleanup	275,285	275,285
Program support—Defense Environment Cleanup	12,979	12,979
Safeguards and Security—Defense Environment Cleanup	320,771	320,771
Technology development and deployment	25,000	25,000
Use of prior year balances	0	0
Subtotal, Defense environmental cleanup	5,092,608	5,192,608
Rescission:		
Rescission of prior year balances	-109,000	-109,000
TOTAL, Defense Environmental Cleanup	4,983,608	5,083,608
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	134,320	134,320
Program direction	75,368	75,368
Total, Environment, health, safety and security	209,688	209,688
Independent enterprise assessments		
Enterprise assessments	26,949	26,949
Program direction—Office of Enterprise Assessments	54,635	54,635
Total, Office of Enterprise Assessments	81,584	81,584
Specialized security activities	258,411	258,411
Office of Legacy Management		
Legacy management activities—defense	293,873	143,873

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2021 Request	Senate Authorized
Maintain current program administration		(-150,000)
Program direction	23,120	23,120
Total, Office of Legacy Management	316,993	166,993
Defense related administrative support	183,789	183,789
Office of hearings and appeals	4,262	4,262
Subtotal, Other defense activities	1,054,727	904,727
Use of prior year balances	0	0
Total, Other Defense Activities	1,054,727	904,727

1 **DIVISION E—ADDITIONAL**
2 **PROVISIONS**
3 **TITLE LI—PROCUREMENT**
4 **Subtitle B—Army Programs**

5 **SEC. 5111. REPORT ON CH-47F CHINOOK BLOCK-II UP-**
6 **GRADE.**

7 (a) **IN GENERAL.**—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of De-
9 fense, in consultation with the Secretary of the Army,
10 shall submit to the congressional defense committees a re-
11 port that includes the following elements:

12 (1) An analysis of the warfighting capability
13 currently delivered by the Block I and Block II con-
14 figurations of H-47 Chinook helicopters.

15 (2) An analysis of the feasibility and advis-
16 ability of delaying or terminating the CH-47F Chi-
17 nook Block-II upgrade.

18 (3) A plan to ensure that warfighter capability
19 is not negatively affected by the delay or termination
20 of the CH-47F Chinook Block-II upgrade.

21 (b) **FORM.**—The report required under subsection (a)
22 shall be submitted in unclassified form, but may include
23 a classified annex.

1 **Subtitle C—Navy Programs**

2 **SEC. 5121. LIMITATION ON ALTERATION OF NAVY FLEET**

3 **MIX.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the United States shipbuilding and sup-
7 porting vendor base constitute a national security
8 imperative that is unique and must be protected;

9 (2) a healthy and efficient industrial base con-
10 tinues to be a fundamental driver for achieving and
11 sustaining a successful shipbuilding procurement
12 strategy;

13 (3) without consistent and continuous commit-
14 ment to steady and predictable acquisition profiles,
15 the industrial base will struggle and some elements
16 may not survive; and

17 (4) proposed reductions in the future-years de-
18 fense program to the DDG–51 Destroyer procure-
19 ment profile without a clear transition to procure-
20 ment of the next Large Surface Combatant would
21 adversely affect the shipbuilding industrial base and
22 long-term strategic objectives of the Navy.

23 (b) LIMITATION.—

24 (1) IN GENERAL.—The Secretary of the Navy
25 may not deviate from the 2016 Navy Force Struc-

1 ture Assessment to implement the results of a new
2 force structure assessment or new annual long-range
3 plan for construction of naval vessels that would re-
4 duce the requirement for Large Surface Combatants
5 to fewer than 104 such vessels until the date on
6 which the Secretary of the Navy submits to the con-
7 gressional defense committees the certification under
8 paragraph (2) and the report under subsection (c).

9 (2) CERTIFICATION.—The certification referred
10 to in paragraph (1) is a certification, in writing, that
11 each of the following conditions have been satisfied:

12 (A) The large surface combatant ship-
13 building industrial base and supporting vendor
14 base would not significantly deteriorate due to
15 a reduced procurement profile.

16 (B) The Navy can mitigate the reduction
17 in anti-air and ballistic missile defense capabili-
18 ties due to having a reduced number of DDG-
19 51 Destroyers with the advanced AN/SPY-6
20 radar in the next three decades.

21 (c) REPORT.—Not later than 90 days after the date
22 of the enactment of this Act, the Secretary of the Navy
23 shall submit to the congressional defense committees a re-
24 port that includes—

1 (1) a description of likely detrimental impacts
2 to the large surface combatant industrial base and
3 the Navy’s plan to mitigate any such impacts if the
4 fiscal year 2021 future-years defense program were
5 implemented as proposed;

6 (2) a review of the benefits to the Navy fleet of
7 the new AN/SPY-6 radar to be deployed aboard
8 Flight III variant DDG-51 Destroyers, which are
9 currently under construction, as well as an analysis
10 of impacts to the fleet’s warfighting capabilities,
11 should the number of such destroyers be reduced;
12 and

13 (3) a plan to fully implement section 131 of the
14 National Defense Authorization for Fiscal Year
15 2020 (Public Law 116-92), including subsystem
16 prototyping efforts and funding by fiscal year.

1 **TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
2
3

4 **Subtitle B—Program Requirements, Restrictions, and Limitations**
5
6

7 **SEC. 5211. IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.**
8
9

10 (a) INCREASE.—Funds authorized to be appropriated
11 in Research, Development, Test, and Evaluation, Defense-
12 wide, PE 0601228D8Z, section 4201, for Basic Research,
13 Historically Black Colleges and Universities/Minority In-
14 stitutions, Line 006, are hereby increased by \$14,025,000.

15 (b) OFFSET.—Funding in section 4101 for Other
16 Procurement, Army, for Automated Data Processing
17 Equipment, Line 112, is hereby reduced by \$14,025,000.

18 **Subtitle C—Sustainable Chemistry**

19 **SEC. 5221. NATIONAL COORDINATING ENTITY FOR SUSTAINABLE CHEMISTRY.**
20

21 (a) ESTABLISHMENT.—Not later than 180 days after
22 the date of enactment of this title, the Director of the Of-
23 fice of Science and Technology Policy shall convene an
24 interagency entity (referred to in this title as the “Enti-
25 ty”) under the National Science and Technology Council

1 with the responsibility to coordinate Federal programs and
2 activities in support of sustainable chemistry, including
3 those described in sections ____ 3 and ____ 4.

4 (b) COORDINATION WITH EXISTING GROUPS.—In
5 convening the Entity, the Director of the Office of Science
6 and Technology Policy shall consider overlap and possible
7 coordination with existing committees, subcommittees, or
8 other groups of the National Science and Technology
9 Council, such as—

- 10 (1) the Committee on Environment;
- 11 (2) the Committee on Technology;
- 12 (3) the Committee on Science; or
- 13 (4) related groups or subcommittees.

14 (c) CO-CHAIRS.—The Entity shall be co-chaired by
15 the Director of the Office of Science and Technology Pol-
16 icy and a representative from the Environmental Protec-
17 tion Agency, the National Institute of Standards and
18 Technology, the National Science Foundation, or the De-
19 partment of Energy, as selected by the Director of the
20 Office of Science and Technology Policy.

21 (d) AGENCY PARTICIPATION.—The Entity shall in-
22 clude representatives, including subject matter experts,
23 from the Environmental Protection Agency, the National
24 Institute of Standards and Technology, the National
25 Science Foundation, the Department of Energy, the De-

1 partment of Agriculture, the Department of Defense, the
2 National Institutes of Health, the Centers for Disease
3 Control and Prevention, the Food and Drug Administra-
4 tion, and other related Federal agencies, as appropriate.

5 (e) TERMINATION.—The Entity shall terminate on
6 the date that is 10 years after the date of enactment of
7 this title.

8 **SEC. 5222. STRATEGIC PLAN FOR SUSTAINABLE CHEM-**
9 **ISTRY.**

10 (a) STRATEGIC PLAN.—Not later than 2 years after
11 the date of enactment of this title, the Entity shall—

12 (1) consult with relevant stakeholders, including
13 representatives from industry, academia, national
14 labs, the Federal Government, and international en-
15 tities, to develop and update, as needed, a consensus
16 definition of “sustainable chemistry” to guide the
17 activities under this title;

18 (2) develop a working framework of attributes
19 characterizing and metrics for assessing sustainable
20 chemistry, as described in subsection (b);

21 (3) assess the state of sustainable chemistry in
22 the United States as a key benchmark from which
23 progress under the activities described in this title
24 can be measured, including assessing key sectors of
25 the United States economy, key technology plat-

1 forms, commercial priorities, and barriers to innova-
2 tion;

3 (4) coordinate and support Federal research,
4 development, demonstration, technology transfer,
5 commercialization, education, and training efforts in
6 sustainable chemistry, including budget coordination
7 and support for public-private partnerships, as ap-
8 propriate;

9 (5) identify any Federal regulatory barriers to,
10 and opportunities for, Federal agencies facilitating
11 the development of incentives for development, con-
12 sideration and use of sustainable chemistry processes
13 and products;

14 (6) identify major scientific challenges, road-
15 blocks, or hurdles to transformational progress in
16 improving the sustainability of the chemical sciences;
17 and

18 (7) review, identify, and make effort to elimi-
19 nate duplicative Federal funding and duplicative
20 Federal research in sustainable chemistry.

21 (b) CHARACTERIZING AND ASSESSING SUSTAINABLE
22 CHEMISTRY.—The Entity shall develop a working frame-
23 work of attributes characterizing and metrics for assessing
24 sustainable chemistry for the purposes of carrying out the
25 title. In developing this framework, the Entity shall—

1 (1) seek advice and input from stakeholders as
2 described in subsection (c);

3 (2) consider existing definitions of, or frame-
4 works characterizing and metrics for assessing, sus-
5 tainable chemistry already in use at Federal agen-
6 cies;

7 (3) consider existing definitions of, or frame-
8 works characterizing and metrics for assessing, sus-
9 tainable chemistry already in use by international
10 organizations of which the United States is a mem-
11 ber, such as the Organisation for Economic Co-oper-
12 ation and Development; and

13 (4) consider any other appropriate existing defi-
14 nitions of, or frameworks characterizing and metrics
15 for assessing, sustainable chemistry.

16 (c) CONSULTATION.—In carrying out the duties de-
17 scribed in subsections (a) and (b), the Entity shall consult
18 with stakeholders qualified to provide advice and informa-
19 tion to guide Federal activities related to sustainable
20 chemistry through workshops, requests for information, or
21 other mechanisms as necessary. The stakeholders shall in-
22 clude representatives from—

23 (1) business and industry (including trade asso-
24 ciations and small- and medium-sized enterprises
25 from across the value chain);

1 (2) the scientific community (including the Na-
2 tional Academies of Sciences, Engineering, and Med-
3 icine, scientific professional societies, national labs,
4 and academia);

5 (3) the defense community;

6 (4) State, tribal, and local governments, includ-
7 ing nonregulatory State or regional sustainable
8 chemistry programs, as appropriate;

9 (5) nongovernmental organizations; and

10 (6) other appropriate organizations.

11 (d) REPORT TO CONGRESS.—

12 (1) IN GENERAL.—Not later than 2 years after
13 the date of enactment of this Act, the Entity shall
14 submit a report to the Committee on Environment
15 and Public Works, the Committee on Commerce,
16 Science, and Transportation, and the Committee on
17 Appropriations of the Senate, and the Committee on
18 Science, Space, and Technology, the Committee on
19 Energy and Commerce, and the Committee on Ap-
20 propriations of the House of Representatives. In ad-
21 dition to the elements described in subsections (a)
22 and (b), the report shall include—

23 (A) a summary of federally funded, sus-
24 tainable chemistry research, development, dem-

1 onstration, technology transfer, commercializa-
2 tion, education, and training activities;

3 (B) a summary of the financial resources
4 allocated to sustainable chemistry initiatives by
5 each participating agency;

6 (C) an assessment of the current state of
7 sustainable chemistry in the United States, in-
8 cluding the role that Federal agencies are play-
9 ing in supporting it;

10 (D) an analysis of the progress made to-
11 ward achieving the goals and priorities of this
12 Act, and recommendations for future program
13 activities;

14 (E) an evaluation of steps taken and fu-
15 ture strategies to avoid duplication of efforts,
16 streamline interagency coordination, facilitate
17 information sharing, and spread best practices
18 among participating agencies; and

19 (F) an evaluation of duplicative Federal
20 funding and duplicative Federal research in
21 sustainable chemistry, efforts undertaken by the
22 Entity to eliminate duplicative funding and re-
23 search, and recommendations on how to achieve
24 these goals.

1 (2) SUBMISSION TO GAO.—The Entity shall
2 also submit the report described in paragraph (1) to
3 the Comptroller General of the United States for
4 consideration in future Congressional inquiries.

5 (3) ADDITIONAL REPORTS.—The Entity shall
6 submit a report to Congress and the Comptroller
7 General of the United States that incorporates the
8 information described in subparagraphs (A), (B),
9 (D), (E), and (F) of paragraph (1) every 3 years,
10 commencing after the initial report is submitted
11 until the Entity terminates.

12 **SEC. 5223. AGENCY ACTIVITIES IN SUPPORT OF SUSTAIN-**
13 **ABLE CHEMISTRY.**

14 (a) IN GENERAL.—The agencies participating in the
15 Entity shall carry out activities in support of sustainable
16 chemistry, as appropriate to the specific mission and pro-
17 grams of each agency.

18 (b) ACTIVITIES.—The activities described in sub-
19 section (a) shall—

20 (1) incorporate sustainable chemistry into exist-
21 ing research, development, demonstration, tech-
22 nology transfer, commercialization, education, and
23 training programs, that the agency determines to be
24 relevant, including consideration of—

1 (A) merit-based competitive grants to indi-
2 vidual investigators and teams of investigators,
3 including, to the extent practicable, early career
4 investigators for research and development;

5 (B) grants to fund collaborative research
6 and development partnerships among univer-
7 sities, industry, and nonprofit organizations;

8 (C) coordination of sustainable chemistry
9 research, development, demonstration, and tech-
10 nology transfer conducted at Federal labora-
11 tories and agencies;

12 (D) incentive prize competitions and chal-
13 lenges in coordination with such existing Fed-
14 eral agency programs; and

15 (E) grants, loans, and loan guarantees to
16 aid in the technology transfer and commer-
17 cialization of sustainable chemicals, materials,
18 processes, and products;

19 (2) collect and disseminate information on sus-
20 tainable chemistry research, development, technology
21 transfer, and commercialization, including informa-
22 tion on accomplishments and best practices;

23 (3) expand the education and training of stu-
24 dents at appropriate levels of education, professional
25 scientists and engineers, and other professionals in-

1 involved in all aspects of sustainable chemistry and en-
2 gineering appropriate to that level of education and
3 training, including through—

4 (A) partnerships with industry as de-
5 scribed in section ____4;

6 (B) support for the integration of sustain-
7 able chemistry principles into chemistry and
8 chemical engineering curriculum and research
9 training, as appropriate to that level of edu-
10 cation and training; and

11 (C) support for integration of sustainable
12 chemistry principles into existing or new profes-
13 sional development opportunities for profes-
14 sionals including teachers, faculty, and individ-
15 uals involved in laboratory research (product
16 development, materials specification and test-
17 ing, life cycle analysis, and management);

18 (4) as relevant to an agency's programs, exam-
19 ine methods by which the Federal agencies, in col-
20 laboration and consultation with the National Insti-
21 tute of Standards and Technology, may facilitate the
22 development or recognition of validated, standard-
23 ized tools for performing sustainability assessments
24 of chemistry processes or products;

1 (5) through programs identified by an agency,
2 support (including through technical assistance, par-
3 ticipation, financial support, communications tools,
4 awards, or other forms of support) outreach and dis-
5 semination of sustainable chemistry advances such
6 as non-Federal symposia, forums, conferences, and
7 publications in collaboration with, as appropriate, in-
8 dustry, academia, scientific and professional soci-
9 eties, and other relevant groups;

10 (6) provide for public input and outreach to be
11 integrated into the activities described in this section
12 by the convening of public discussions, through
13 mechanisms such as public meetings, consensus con-
14 ferences, and educational events, as appropriate;

15 (7) within each agency, develop or adapt
16 metrics to track the outputs and outcomes of the
17 programs supported by that agency; and

18 (8) incentivize or recognize actions that advance
19 sustainable chemistry products, processes, or initia-
20 tives, including through the establishment of a na-
21 tionally recognized awards program through the En-
22 vironmental Protection Agency to identify, publicize,
23 and celebrate innovations in sustainable chemistry
24 and chemical technologies.

1 (c) LIMITATIONS .—Financial support provided
2 under this section shall—

3 (1) be available only for pre-competitive activi-
4 ties; and

5 (2) not be used to promote the sale of a specific
6 product, process, or technology, or to disparage a
7 specific product, process, or technology.

8 **SEC. 5224. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.**

9 (a) IN GENERAL.—The agencies participating in the
10 Entity may facilitate and support, through financial, tech-
11 nical, or other assistance, the creation of partnerships be-
12 tween institutions of higher education, nongovernmental
13 organizations, consortia, or companies across the value
14 chain in the chemical industry, including small- and me-
15 dium-sized enterprises, to—

16 (1) create collaborative sustainable chemistry
17 research, development, demonstration, technology
18 transfer, and commercialization programs; and

19 (2) train students and retrain professional sci-
20 entists, engineers, and others involved in materials
21 specification on the use of sustainable chemistry con-
22 cepts and strategies by methods, including—

23 (A) developing or recognizing curricular
24 materials and courses for undergraduate and
25 graduate levels and for the professional develop-

1 ment of scientists, engineers, and others in-
2 volved in materials specification; and

3 (B) publicizing the availability of profes-
4 sional development courses in sustainable chem-
5 istry and recruiting professionals to pursue
6 such courses.

7 (b) PRIVATE SECTOR PARTICIPATION.—To be eligi-
8 ble for support under this section, a partnership in sus-
9 tainable chemistry shall include at least one private sector
10 organization.

11 (c) SELECTION OF PARTNERSHIPS.—In selecting
12 partnerships for support under this section, the agencies
13 participating in the Entity shall also consider the extent
14 to which the applicants are willing and able to dem-
15 onstrate evidence of support for, and commitment to, the
16 goals outlined in the strategic plan and report described
17 in section ____2.

18 (d) PROHIBITED USE OF FUNDS.—Financial support
19 provided under this section may not be used—

20 (1) to support or expand a regulatory chemical
21 management program at an implementing agency
22 under a State law;

23 (2) to construct or renovate a building or struc-
24 ture; or

1 **Subtitle D—Cyber Workforce**
2 **Matters**

3 **SEC. 5231. IMPROVING NATIONAL INITIATIVE FOR CYBER-**
4 **SECURITY EDUCATION.**

5 (a) PROGRAM IMPROVEMENTS GENERALLY.—Sub-
6 section (a) of section 401 of the Cybersecurity Enhance-
7 ment Act of 2014 (15 U.S.C. 7451) is amended—

8 (1) in paragraph (5), by striking “; and” and
9 inserting a semicolon;

10 (2) by redesignating paragraph (6) as para-
11 graph (10); and

12 (3) by inserting after paragraph (5) the fol-
13 lowing:

14 “(6) supporting efforts to identify cybersecurity
15 workforce skill gaps in public and private sectors;

16 “(7) facilitating Federal programs to advance
17 cybersecurity education, training, and workforce;

18 “(8) in coordination with the Department of
19 Defense and the Department of Homeland Security,
20 considering any specific needs of the cybersecurity
21 workforce of critical infrastructure, to include cyber
22 physical systems and control systems;

23 “(9) advising the Director of the Office of Man-
24 agement and Budget, as needed in, developing
25 metrics to measure the effectiveness and effect of

1 programs and initiatives to advance the cybersecurity
2 workforce; and”.

3 (b) STRATEGIC PLAN.—Subsection (c) of such sec-
4 tion is amended—

5 (1) by striking “The Director” and inserting
6 the following:

7 “(1) IN GENERAL.—The Director”; and

8 (2) by adding at the end the following:

9 “(2) REQUIREMENT.—The strategic plan devel-
10 oped and implemented under paragraph (1) shall in-
11 clude an indication of how the Director will carry
12 out this section.”.

13 (c) CYBERSECURITY CAREER PATHWAYS.—

14 (1) IDENTIFICATION OF MULTIPLE CYBERSECU-
15 RITY CAREER PATHWAYS.—In carrying out sub-
16 section (a) of such section and not later than 540
17 days after the date of the enactment of this Act, the
18 Director of the National Institute of Standards and
19 Technology shall, in coordination with the Secretary
20 of Defense, the Secretary of Homeland Security, and
21 the Director of the Office of Personnel Management,
22 use a consultative process with other Federal agen-
23 cies, academia, and industry to identify multiple ca-
24 reer pathways for cybersecurity work roles that can
25 be used in the private and public sectors.

1 (2) REQUIREMENTS.—The Director shall en-
2 sure that the multiple cybersecurity career pathways
3 identified under paragraph (1) indicate the knowl-
4 edge, skills, and abilities, including relevant edu-
5 cation, training, apprenticeships, certifications, and
6 other experiences, that—

7 (A) align with employers’ cybersecurity
8 skill needs, including proficiency level require-
9 ments, for its workforce; and

10 (B) prepare an individual to be successful
11 in entering or advancing in a cybersecurity ca-
12 reer.

13 (3) EXCHANGE PROGRAM.—Consistent with re-
14 quirements under chapter 37 of title 5, United
15 States Code, the Director of the National Institute
16 of Standards and Technology, in coordination with
17 the Director of the Office of Personnel Management,
18 may establish a voluntary program for the exchange
19 of employees engaged in one of the cybersecurity
20 work roles identified in the National Initiative for
21 Cybersecurity Education (NICE) Cybersecurity
22 Workforce Framework (NIST Special Publication
23 800–181), or successor framework, between the Na-
24 tional Institute of Standards and Technology and
25 private sector institutions, including a nonpublic or

1 commercial business, a research institution, or an in-
2 stitution of higher education, as the Director of the
3 National Institute of Standards and Technology con-
4 siders feasible.

5 (d) PROFICIENCY TO PERFORM CYBERSECURITY
6 TASKS.—Not later than 540 days after the date of the
7 enactment of this Act, the Director of the National Insti-
8 tute of Standards and Technology shall, in coordination
9 with the Secretary of Defense and the Secretary of Home-
10 land Security—

11 (1) in carrying out subsection (a) of such sec-
12 tion, assess the scope and sufficiency of efforts to
13 measure a learner’s capability to perform specific
14 tasks found in the National Initiative for Cybersecu-
15 rity Education (NICE) Cybersecurity Workforce
16 Framework (NIST Special Publication 800–181) at
17 all proficiency levels; and

18 (2) submit to Congress a report—

19 (A) on the findings of the Director with re-
20 spect to the assessment carried out under para-
21 graph (1); and

22 (B) with recommendations for effective
23 methods for measuring the cybersecurity pro-
24 ficiency of learners.

1 (e) CYBERSECURITY METRICS.—Such section is fur-
2 ther amended by adding at the end the following:

3 “(e) CYBERSECURITY METRICS.—In carrying out
4 subsection (a), the Director of the Office of Management
5 and Budget may seek input from the Director of the Na-
6 tional Institute of Standards and Technology, in coordina-
7 tion with the Department of Homeland Security, the Of-
8 fice of Personnel Management, and such agencies as the
9 Director of the National Institute of Standards and Tech-
10 nology considers relevant, shall develop repeatable meas-
11 ures and reliable metrics for measuring and evaluating
12 Federally funded cybersecurity workforce programs and
13 initiatives based on the outcomes of such programs and
14 initiatives.”.

15 (f) REGIONAL ALLIANCES AND MULTISTAKEHOLDER
16 PARTNERSHIPS.—Such section is further amended by
17 adding at the end the following:

18 “(f) REGIONAL ALLIANCES AND MULTISTAKE-
19 HOLDER PARTNERSHIPS.—

20 “(1) IN GENERAL.—Pursuant to section 2(b)(4)
21 of the National Institute of Standards and Tech-
22 nology Act (15 U.S.C. 272(b)(4)), the Director shall
23 establish cooperative agreements between the Na-
24 tional Initiative for Cybersecurity Education (NICE)

1 of the Institute and regional alliances or partner-
2 ships for cybersecurity education and workforce.

3 “(2) AGREEMENTS.—The cooperative agree-
4 ments established under paragraph (1) shall advance
5 the goals of the National Initiative for Cybersecurity
6 Education Cybersecurity Workforce Framework
7 (NIST Special Publication 800–181), or successor
8 framework, by facilitating local and regional partner-
9 ships—

10 “(A) to identify the workforce needs of the
11 local economy and classify such workforce in ac-
12 cordance with such framework;

13 “(B) to identify the education, training,
14 apprenticeship, and other opportunities avail-
15 able in the local economy; and

16 “(C) to support opportunities to meet the
17 needs of the local economy.

18 “(3) FINANCIAL ASSISTANCE.—

19 “(A) FINANCIAL ASSISTANCE AUTHOR-
20 IZED.—The Director may award financial as-
21 sistance to a regional alliance or partnership
22 with whom the Director enters into a coopera-
23 tive agreement under paragraph (1) in order to
24 assist the regional alliance or partnership in

1 carrying out the term of the cooperative agree-
2 ment.

3 “(B) AMOUNT OF ASSISTANCE.—The ag-
4 gregate amount of financial assistance awarded
5 under subparagraph (A) per cooperative agree-
6 ment shall not exceed \$200,000.

7 “(C) MATCHING REQUIREMENT.—The Di-
8 rector may not award financial assistance to a
9 regional alliance or partnership under subpara-
10 graph (A) unless the regional alliance or part-
11 nership agrees that, with respect to the costs to
12 be incurred by the regional alliance or partner-
13 ship in carrying out the cooperative agreement
14 for which the assistance was awarded, the re-
15 gional alliance or partnership will make avail-
16 able (directly or through donations from public
17 or private entities) non-Federal contributions in
18 an amount equal to 50 percent of Federal funds
19 provided under the award.

20 “(4) APPLICATION.—

21 “(A) IN GENERAL.—A regional alliance or
22 partnership seeking to enter into a cooperative
23 agreement under paragraph (1) and receive fi-
24 nancial assistance under paragraph (3) shall
25 submit to the Director an application therefore

1 at such time, in such manner, and containing
2 such information as the Director may require.

3 “(B) REQUIREMENTS.—Each application
4 submitted under subparagraph (A) shall include
5 the following:

6 “(i)(I) A plan to establish (or identi-
7 fication of, if it already exists) a multi-
8 stakeholder workforce partnership that in-
9 cludes—

10 “(aa) at least one institution of
11 higher education or nonprofit training
12 organization; and

13 “(bb) at least one local employer
14 or owner or operator of critical infra-
15 structure.

16 “(II) Participation from Federal
17 Cyber Scholarships for Service organiza-
18 tions, advanced technological education
19 programs, elementary and secondary
20 schools, training and certification pro-
21 viders, State and local governments, eco-
22 nomic development organizations, or other
23 community organizations is encouraged.

1 “(ii) A description of how the work-
2 force partnership would identify the work-
3 force needs of the local economy.

4 “(iii) A description of how the multi-
5 stakeholder workforce partnership would
6 leverage the programs and objectives of the
7 National Initiative for Cybersecurity Edu-
8 cation, such as the Cybersecurity Work-
9 force Framework and the strategic plan of
10 such initiative.

11 “(iv) A description of how employers
12 in the community will be recruited to sup-
13 port internships, externships, apprentice-
14 ships, or cooperative education programs
15 in conjunction with providers of education
16 and training. Inclusion of programs that
17 seek to include women, minorities, or vet-
18 erans is encouraged.

19 “(v) A definition of the metrics that
20 will be used to measure the success of the
21 efforts of the regional alliance or partner-
22 ship under the agreement.

23 “(C) PRIORITY CONSIDERATION.—In
24 awarding financial assistance under paragraph
25 (3)(A), the Director shall give priority consider-

1 ation to a regional alliance or partnership that
2 includes an institution of higher education
3 which receives an award under the Federal
4 Cyber Scholarship for Service program located
5 in the State or region of the regional alliance or
6 partnership.

7 “(5) AUDITS.—Each cooperative agreement for
8 which financial assistance is awarded under para-
9 graph (3) shall be subject to audit requirements
10 under part 200 of title 2, Code of Federal Regula-
11 tions (relating to uniform administrative require-
12 ments, cost principles, and audit requirements for
13 Federal awards), or successor regulation.

14 “(6) REPORTS.—

15 “(A) IN GENERAL.—Upon completion of a
16 cooperative agreement under paragraph (1), the
17 regional alliance or partnership that partici-
18 pated in the agreement shall submit to the Di-
19 rector a report on the activities of the regional
20 alliance or partnership under the agreement,
21 which may include training and education out-
22 comes.

23 “(B) CONTENTS.—Each report submitted
24 under subparagraph (A) by a regional alliance
25 or partnership shall include the following:

1 “(i) An assessment of efforts made by
2 the regional alliance or partnership to
3 carry out paragraph (2).

4 “(ii) The metrics used by the regional
5 alliance or partnership to measure the suc-
6 cess of the efforts of the regional alliance
7 or partnership under the cooperative agree-
8 ment.”.

9 (g) TRANSFER OF SECTION.—

10 (1) TRANSFER.—Such section is transferred to
11 the end of title III of such Act and redesignated as
12 section 303.

13 (2) REPEAL.—Title IV of such Act is repealed.

14 (3) CLERICAL.—The table of contents in sec-
15 tion 1(b) of such Act is amended—

16 (A) by striking the items relating to title
17 IV and section 401; and

18 (B) by inserting after the item relating to
19 section 302 the following:

“Sec. 303. National cybersecurity awareness and education program.”.

20 (4) CONFORMING AMENDMENTS.—

21 (A) Section 302(3) of the Federal Cyberse-
22 curity Workforce Assessment Act of 2015 (Pub-
23 lic Law 114–113) is amended by striking
24 “under section 401 of the Cybersecurity En-
25 hancement Act of 2014 (15 U.S.C. 7451)” and

1 inserting “under section 303 of the Cybersecu-
2 rity Enhancement Act of 2014 (Public Law
3 113–274)”.

4 (B) Section 2(c)(3) of the NIST Small
5 Business Cybersecurity Act (Public Law 115–
6 236) is amended by striking “under section 401
7 of the Cybersecurity Enhancement Act of 2014
8 (15 U.S.C. 7451)” and inserting “under section
9 303 of the Cybersecurity Enhancement Act of
10 2014 (Public Law 113–274)”.

11 (C) Section 302(f) of the Cybersecurity
12 Enhancement Act of 2014 (15 U.S.C. 7442(f))
13 is amended by striking “under section 401”
14 and inserting “under section 303”.

15 **SEC. 5232. DEVELOPMENT OF STANDARDS AND GUIDE-**
16 **LINES FOR IMPROVING CYBERSECURITY**
17 **WORKFORCE OF FEDERAL AGENCIES.**

18 (a) IN GENERAL.—Section 20(a) of the National In-
19 stitute of Standards and Technology Act (15 U.S.C.
20 278g–3(a)) is amended—

21 (1) in paragraph (3), by striking “; and” and
22 inserting a semicolon;

23 (2) in paragraph (4), by striking the period at
24 the end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(3) prioritize the placement of scholarship re-
2 cipients fulfilling the post-award employment obliga-
3 tion under this section to ensure that—

4 “(A) not less than 70 percent of such re-
5 cipients are placed in an executive agency (as
6 defined in section 105 of title 5, United States
7 Code);

8 “(B) not more than 10 percent of such re-
9 cipients are placed as educators in the field of
10 cybersecurity at qualified institutions of higher
11 education that provide scholarships under this
12 section; and

13 “(C) not more than 20 percent of such re-
14 cipients are placed in positions described in
15 paragraphs (2) through (5) of subsection (d);
16 and”;

17 (C) in paragraph (4), in the matter pre-
18 ceding subparagraph (A), by inserting “, includ-
19 ing by seeking to provide awards in coordina-
20 tion with other relevant agencies for summer
21 cybersecurity camp or other experiences, includ-
22 ing teacher training, in each of the 50 States,”
23 after “cybersecurity education”;

24 (2) in subsection (d)—

1 (A) in paragraph (4), by striking “or” at
2 the end;

3 (B) in paragraph (5), by striking the pe-
4 riod at the end and inserting “; or”; and

5 (C) by adding at the end the following:

6 “(6) as provided by subsection (b)(3)(B), a
7 qualified institution of higher education.”; and

8 (3) in subsection (m)—

9 (A) in paragraph (1), in the matter pre-
10 ceeding subparagraph (A), by striking “cyber”
11 and inserting “cybersecurity”; and

12 (B) in paragraph (2), by striking “cyber”
13 and inserting “cybersecurity”.

14 **SEC. 5234. MODIFICATIONS TO FEDERAL CYBER SCHOLAR-**
15 **SHIP-FOR-SERVICE PROGRAM.**

16 Section 302 of the Cybersecurity Enhancement Act
17 of 2014 (15 U.S.C. 7442) is amended—

18 (1) in subsection (f)—

19 (A) in paragraph (4), by striking “; and”
20 and inserting a semicolon; and

21 (B) by striking paragraph (5) and insert-
22 ing the following:

23 “(5) enter into an agreement accepting and ac-
24 knowledging the post award employment obligations,
25 pursuant to section (d);

1 “(6) accept and acknowledge the conditions of
2 support under section (g); and

3 “(7) accept all terms and conditions of a schol-
4 arship under this section.”;

5 (2) in subsection (g)—

6 (A) in paragraph (1), by inserting “the Of-
7 fice of Personnel Management, in coordination
8 with the National Science Foundation, and” be-
9 fore “the qualified institution”;

10 (B) in paragraph (2)—

11 (i) in subparagraph (D), by striking
12 “; or” and inserting a semicolon; and

13 (ii) by striking subparagraph (E) and
14 inserting the following:

15 “(E) fails to maintain or fulfill any of the
16 post-graduation or post-award obligations or re-
17 quirements of the individual; or

18 “(F) fails to fulfill the requirements of
19 paragraph (1).”;

20 (3) in subsection (h)(2), by inserting “and the
21 Director of the Office of Personnel Management”
22 after “Foundation”;

23 (4) in subsection (k)(1)(A), by striking “and
24 the Director” and all that follows and inserting “,
25 the Director of the National Science Foundation,

1 and the Director of the Office of Personnel Manage-
 2 ment of the amounts owed; and”;

3 (5) in subsection (m)(2), by striking “once
 4 every 3 years” and all that follows and inserting
 5 “once every 2 years, to the Committee on Com-
 6 merce, Science, and Transportation and the Com-
 7 mittee on Homeland Security and Governmental Af-
 8 fairs of the Senate and the Committee on Science,
 9 Space, and Technology and the Committee on Over-
 10 sight and Reform of the House of Representatives a
 11 report, including—”

12 (A) “the results of the evaluation under
 13 paragraph (1);”

14 (B) “the disparity in any reporting be-
 15 tween scholarship recipients and their respective
 16 institutions of higher education; and”

17 (C) “any recent statistics regarding the
 18 size, composition, and educational requirements
 19 of the Federal cyber workforce.”

20 **SEC. 5235. CYBERSECURITY IN PROGRAMS OF THE NA-**
 21 **TIONAL SCIENCE FOUNDATION.**

22 (a) **COMPUTER SCIENCE AND CYBERSECURITY EDU-**
 23 **CATION RESEARCH.**—Section 310 of the American Inno-
 24 vation and Competitiveness Act (42 U.S.C. 1862s–7) is
 25 amended—

1 (1) in subsection (b)—

2 (A) in paragraph (1), by inserting “and cy-
3 bersecurity” after “computer science”; and

4 (B) in paragraph (2)—

5 (i) in subparagraph (C), by striking “;
6 and” and inserting a semicolon;

7 (ii) in subparagraph (D), by striking
8 the period at the end and inserting “;
9 and”; and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(E) tools and models for the integration
13 of cybersecurity and other interdisciplinary ef-
14 forts into computer science education and com-
15 putational thinking at secondary and postsec-
16 ondary levels of education.”; and

17 (2) in subsection (c), by inserting “, cybersecu-
18 rity,” after “computing”.

19 (b) SCIENTIFIC AND TECHNICAL EDUCATION.—Sec-
20 tion 3(j)(9) of the Scientific and Advanced-Technology Act
21 of 1992 (42 U.S.C. 1862i(j)(9)) is amended by inserting
22 “and cybersecurity” after “computer science”.

23 (c) LOW-INCOME SCHOLARSHIP PROGRAM.—Section
24 414(d) of the American Competitiveness and Workforce

1 Improvement Act of 1998 (42 U.S.C. 1869c) is amend-
2 ed—

3 (1) in paragraph (1), by striking “or computer
4 science” and inserting “computer science, or cyber-
5 security”; and

6 (2) in paragraph (2)(A)(iii), by inserting “cy-
7 bersecurity,” after “computer science,”.

8 (d) SCHOLARSHIPS AND GRADUATE FELLOW-
9 SHIPS.—The Director of the National Science Foundation
10 shall ensure that students pursuing master’s degrees and
11 doctoral degrees in fields relating to cybersecurity are con-
12 sidered as applicants for scholarships and graduate fellow-
13 ships under the Graduate Research Fellowship Program
14 under section 10 of the National Science Foundation Act
15 of 1950 (42 U.S.C. 1869).

16 (e) PRESIDENTIAL AWARDS FOR TEACHING EXCEL-
17 LENCE.—The Director of the National Science Founda-
18 tion shall ensure that educators and mentors in fields re-
19 lating to cybersecurity can be considered for—

20 (1) Presidential Awards for Excellence in Math-
21 ematics and Science Teaching made under section
22 117 of the National Science Foundation Authoriza-
23 tion Act of 1988 (42 U.S.C. 1881b); and

24 (2) Presidential Awards for Excellence in
25 STEM Mentoring administered under section 307 of

1 the American Innovation and Competitiveness Act
2 (42 U.S.C. 1862s–6).

3 **SEC. 5236. CYBERSECURITY IN STEM PROGRAMS OF THE**
4 **NATIONAL AERONAUTICS AND SPACE ADMIN-**
5 **ISTRATION.**

6 In carrying out any STEM education program of the
7 National Aeronautics and Space Administration (referred
8 to in this section as “NASA”), including a program of
9 the Office of STEM Engagement, the Administrator of
10 NASA shall, to the maximum extent practicable, encour-
11 age the inclusion of cybersecurity education opportunities
12 in such program.

13 **SEC. 5237. CYBERSECURITY IN DEPARTMENT OF TRANS-**
14 **PORTATION PROGRAMS.**

15 (a) UNIVERSITY TRANSPORTATION CENTERS PRO-
16 GRAM.—Section 5505 of title 49, United States Code, is
17 amended—

18 (1) in subsection (a)(2)(C), by inserting “in the
19 matters described in subparagraphs (A) through (G)
20 of section 6503(c)(1)” after “transportation lead-
21 ers”; and

22 (2) in subsection (c)(3)(E)—

23 (A) by inserting “, including the cybersecu-
24 rity implications of technologies relating to con-
25 nected vehicles, connected infrastructure, and

1 autonomous vehicles” after “autonomous vehi-
2 cles”; and

3 (B) by striking “The Secretary” and in-
4 serting the following:

5 “(i) IN GENERAL.—A regional univer-
6 sity transportation center receiving a grant
7 under this paragraph shall carry out re-
8 search focusing on 1 or more of the mat-
9 ters described in subparagraphs (A)
10 through (G) of section 6503(c)(1).

11 “(ii) FOCUSED OBJECTIVES.—The
12 Secretary”.

13 (b) TRANSPORTATION RESEARCH AND DEVELOP-
14 MENT 5-YEAR STRATEGIC PLAN.—Section 6503(c)(1) of
15 title 49, United States Code, is amended—

16 (1) in subparagraph (E), by striking “and” at
17 the end;

18 (2) in subparagraph (F), by inserting “and”
19 after the semicolon at the end; and

20 (3) by adding at the end the following:

21 “(G) reducing transportation cybersecurity
22 risks;”.

1 **SEC. 5238. NATIONAL CYBERSECURITY CHALLENGES.**

2 (a) IN GENERAL.—Title II of the Cybersecurity En-
3 hancement Act of 2014 (15 U.S.C. 7431 et seq.) is amend-
4 ed by adding at the end the following:

5 **“SEC. 205. NATIONAL CYBERSECURITY CHALLENGES.**

6 “(a) ESTABLISHMENT OF NATIONAL CYBERSECUR-
7 RITY CHALLENGES.—

8 “(1) IN GENERAL.—To achieve high-priority
9 breakthroughs in cybersecurity by 2028, the Sec-
10 retary of Commerce shall establish the following na-
11 tional cybersecurity challenges:

12 “(A) ECONOMICS OF A CYBER ATTACK.—
13 Building more resilient systems that measur-
14 ably and exponentially raise adversary costs of
15 carrying out common cyber attacks.

16 “(B) CYBER TRAINING.—

17 “(i) Empowering the people of the
18 United States with an appropriate and
19 measurably sufficient level of digital lit-
20 eracy to make safe and secure decisions
21 online.

22 “(ii) Developing a cybersecurity work-
23 force with measurable skills to protect and
24 maintain information systems.

25 “(C) EMERGING TECHNOLOGY.—Advanc-
26 ing cybersecurity efforts in response to emerg-

1 ing technology, such as artificial intelligence,
2 quantum science, and next generation commu-
3 nications technologies.

4 “(D) REIMAGINING DIGITAL IDENTITY.—
5 Maintaining a high sense of usability while im-
6 proving the security and safety of online activ-
7 ity of individuals in the United States.

8 “(E) FEDERAL AGENCY RESILIENCE.—Re-
9 ducing cybersecurity risks to Federal networks
10 and systems, and improving the response of
11 Federal agencies to cybersecurity incidents on
12 such networks and systems.

13 “(2) COORDINATION.—In establishing the chal-
14 lenges under paragraph (1), the Secretary shall co-
15 ordinate with the Secretary of Homeland Security on
16 the challenges under subparagraphs (B) and (E) of
17 such paragraph.

18 “(b) PURSUIT OF NATIONAL CYBERSECURITY CHAL-
19 LENGES.—

20 “(1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this section, the
22 Secretary, acting through the Under Secretary of
23 Commerce for Standards and Technology, shall com-
24 mence efforts to pursue the national cybersecurity
25 challenges established under subsection (a).

1 “(2) COMPETITIONS.—The efforts required by
2 paragraph (1) shall include carrying out programs to
3 award prizes, including cash and noncash prizes,
4 competitively pursuant to the authorities and proc-
5 esses established under section 24 of the Stevenson-
6 Wydler Technology Innovation Act of 1980 (15
7 U.S.C. 3719) or any other applicable provision of
8 law.

9 “(3) ADDITIONAL AUTHORITIES.—In carrying
10 out paragraph (1), the Secretary may enter into and
11 perform such other transactions as the Secretary
12 considers necessary and on such terms as the Sec-
13 retary considers appropriate.

14 “(4) COORDINATION.—In pursuing national cy-
15 bersecurity challenges under paragraph (1), the Sec-
16 retary shall coordinate with the following:

17 “(A) The Director of the National Science
18 Foundation.

19 “(B) The Secretary of Homeland Security.

20 “(C) The Director of the Defense Ad-
21 vanced Research Projects Agency.

22 “(D) The Director of the Office of Science
23 and Technology Policy.

24 “(E) The Director of the Office of Man-
25 agement and Budget.

1 “(F) The Administrator of the General
2 Services Administration.

3 “(G) The Federal Trade Commission.

4 “(H) The heads of such other Federal
5 agencies as the Secretary of Commerce con-
6 siders appropriate for purposes of this section.

7 “(5) SOLICITATION OF ACCEPTANCE OF
8 FUNDS.—

9 “(A) IN GENERAL.—Pursuant to section
10 24 of the Stevenson-Wydler Technology Innova-
11 tion Act of 1980 (15 U.S.C. 3719), the Sec-
12 retary shall request and accept funds from
13 other Federal agencies, State, United States
14 territory, local, or tribal government agencies,
15 private sector for-profit entities, and nonprofit
16 entities to support efforts to pursue a national
17 cybersecurity challenge under this section.

18 “(B) RULE OF CONSTRUCTION.—Nothing
19 in subparagraph (A) shall be construed to re-
20 quire any person or entity to provide funds or
21 otherwise participate in an effort or competition
22 under this section.

23 “(c) RECOMMENDATIONS.—

1 “(1) IN GENERAL.—In carrying out this sec-
2 tion, the Secretary of Commerce shall designate an
3 advisory council to seek recommendations.

4 “(2) ELEMENTS.—The recommendations re-
5 quired by paragraph (1) shall include the following:

6 “(A) A scope for efforts carried out under
7 subsection (b).

8 “(B) Metrics to assess submissions for
9 prizes under competitions carried out under
10 subsection (b) as the submissions pertain to the
11 national cybersecurity challenges established
12 under subsection (a).

13 “(3) NO ADDITIONAL COMPENSATION.—The
14 Secretary may not provide any additional compensa-
15 tion, except for travel expenses, to a member of the
16 advisory council designated under paragraph (1) for
17 participation in the advisory council.”.

18 (b) CONFORMING AMENDMENTS.—Section 201(a)(1)
19 of such Act is amended—

20 (1) in subparagraph (J), by striking “; and”
21 and inserting a semicolon;

22 (2) by redesignating subparagraph (K) as sub-
23 paragraph (L); and

24 (3) by inserting after subparagraph (J) the fol-
25 lowing:

1 “(K) implementation of section 205
2 through research and development on the topics
3 identified under subsection (a) of such section;
4 and”.

5 (c) CLERICAL AMENDMENT.—The table of contents
6 in section 1(b) of such Act is amended by inserting after
7 the item relating to section 204 the following:

“Sec. 205. National Cybersecurity Challenges.”.

8 **SEC. 5239. INTERNET OF THINGS.**

9 (a) DEFINITIONS.—In this section:

10 (1) COMMISSION.—The term “Commission”
11 means the Federal Communications Commission.

12 (2) SECRETARY.—The term “Secretary” means
13 the Secretary of Commerce.

14 (3) STEERING COMMITTEE.—The term “steer-
15 ing committee” means the steering committee estab-
16 lished under subsection (b)(5)(A).

17 (4) WORKING GROUP.—The term “working
18 group” means the working group convened under
19 subsection (b)(1).

20 (b) FEDERAL WORKING GROUP.—

21 (1) IN GENERAL.—The Secretary shall convene
22 a working group of Federal stakeholders for the pur-
23 pose of providing recommendations and a report to
24 Congress relating to the aspects of the Internet of
25 Things described in paragraph (2).

1 (2) DUTIES.—The working group shall—

2 (A) identify any Federal regulations, stat-
3 utes, grant practices, budgetary or jurisdic-
4 tional challenges, and other sector-specific poli-
5 cies that are inhibiting, or could inhibit, the de-
6 velopment or deployment of the Internet of
7 Things;

8 (B) consider policies or programs that en-
9 courage and improve coordination among Fed-
10 eral agencies that have responsibilities that are
11 relevant to the objectives of this section;

12 (C) consider any findings or recommenda-
13 tions made by the steering committee and,
14 where appropriate, act to implement those rec-
15 ommendations;

16 (D) examine—

17 (i) how Federal agencies can benefit
18 from utilizing the Internet of Things;

19 (ii) the use of Internet of Things tech-
20 nology by Federal agencies as of the date
21 on which the working group performs the
22 examination;

23 (iii) the preparedness and ability of
24 Federal agencies to adopt Internet of
25 Things technology as of the date on which

1 the working group performs the examina-
2 tion and in the future; and

3 (iv) any additional security measures
4 that Federal agencies may need to take
5 to—

6 (I) safely and securely use the
7 Internet of Things, including meas-
8 ures that ensure the security of crit-
9 ical infrastructure; and

10 (II) enhance the resiliency of
11 Federal systems against cyber threats
12 to the Internet of Things; and

13 (E) in carrying out the examinations re-
14 quired under subclauses (I) and (II) of sub-
15 paragraph (D)(iv), ensure to the maximum ex-
16 tent possible the coordination of the current
17 and future activities of the Federal Government
18 relating to security with respect to the Internet
19 of Things.

20 (3) AGENCY REPRESENTATIVES.—In convening
21 the working group under paragraph (1), the Sec-
22 retary shall have discretion to appoint representa-
23 tives from Federal agencies and departments as ap-
24 propriate and shall specifically consider seeking rep-
25 resentation from—

1 (A) the Department of Commerce, includ-
2 ing—

3 (i) the National Telecommunications
4 and Information Administration;

5 (ii) the National Institute of Stand-
6 ards and Technology; and

7 (iii) the National Oceanic and Atmos-
8 pheric Administration;

9 (B) the Department of Transportation;

10 (C) the Department of Homeland Security;

11 (D) the Office of Management and Budget;

12 (E) the National Science Foundation;

13 (F) the Commission;

14 (G) the Federal Trade Commission;

15 (H) the Office of Science and Technology
16 Policy;

17 (I) the Department of Energy; and

18 (J) the Federal Energy Regulatory Com-
19 mission.

20 (4) NONGOVERNMENTAL STAKEHOLDERS.—The
21 working group shall consult with nongovernmental
22 stakeholders with expertise relating to the Internet
23 of Things, including—

24 (A) the steering committee;

1 (B) information and communications tech-
2 nology manufacturers, suppliers, service pro-
3 viders, and vendors;

4 (C) subject matter experts representing in-
5 dustrial sectors other than the technology sector
6 that can benefit from the Internet of Things,
7 including the transportation, energy, agri-
8 culture, and health care sectors;

9 (D) small, medium, and large businesses;

10 (E) think tanks and academia;

11 (F) nonprofit organizations and consumer
12 groups;

13 (G) security experts;

14 (H) rural stakeholders; and

15 (I) other stakeholders with relevant exper-
16 tise, as determined by the Secretary.

17 (5) STEERING COMMITTEE.—

18 (A) ESTABLISHMENT.—There is estab-
19 lished within the Department of Commerce a
20 steering committee to advise the working group.

21 (B) DUTIES.—The steering committee
22 shall advise the working group with respect
23 to—

24 (i) the identification of any Federal
25 regulations, statutes, grant practices, pro-

1 grams, budgetary or jurisdictional chal-
2 lenges, and other sector-specific policies
3 that are inhibiting, or could inhibit, the de-
4 velopment of the Internet of Things;

5 (ii) situations in which the use of the
6 Internet of Things is likely to deliver sig-
7 nificant and scalable economic and societal
8 benefits to the United States, including
9 benefits from or to—

10 (I) smart traffic and transit tech-
11 nologies;

12 (II) augmented logistics and sup-
13 ply chains;

14 (III) sustainable infrastructure;

15 (IV) precision agriculture;

16 (V) environmental monitoring;

17 (VI) public safety; and

18 (VII) health care;

19 (iii) whether adequate spectrum is
20 available to support the growing Internet
21 of Things and what legal or regulatory
22 barriers may exist to providing any spec-
23 trum needed in the future;

24 (iv) policies, programs, or multi-stake-
25 holder activities that—

- 1 (I) promote or are related to the
2 privacy of individuals who use or are
3 affected by the Internet of Things;
- 4 (II) may enhance the security of
5 the Internet of Things, including the
6 security of critical infrastructure;
- 7 (III) may protect users of the
8 Internet of Things; and
- 9 (IV) may encourage coordination
10 among Federal agencies with jurisdic-
11 tion over the Internet of Things;
- 12 (v) the opportunities and challenges
13 associated with the use of Internet of
14 Things technology by small businesses; and
- 15 (vi) any international proceeding,
16 international negotiation, or other inter-
17 national matter affecting the Internet of
18 Things to which the United States is or
19 should be a party.
- 20 (C) MEMBERSHIP.—The Secretary shall
21 appoint to the steering committee members rep-
22 resenting a wide range of stakeholders outside
23 of the Federal Government with expertise relat-
24 ing to the Internet of Things, including—

1 (i) information and communications
2 technology manufacturers, suppliers, serv-
3 ice providers, and vendors;

4 (ii) subject matter experts rep-
5 resenting industrial sectors other than the
6 technology sector that can benefit from the
7 Internet of Things, including the transpor-
8 tation, energy, agriculture, and health care
9 sectors;

10 (iii) small, medium, and large busi-
11 nesses;

12 (iv) think tanks and academia;

13 (v) nonprofit organizations and con-
14 sumer groups;

15 (vi) security experts;

16 (vii) rural stakeholders; and

17 (viii) other stakeholders with relevant
18 expertise, as determined by the Secretary.

19 (D) REPORT.—Not later than 1 year after
20 the date of enactment of this Act, the steering
21 committee shall submit to the working group a
22 report that includes any findings or rec-
23 ommendations of the steering committee.

24 (E) INDEPENDENT ADVICE.—

1 (i) IN GENERAL.—The steering com-
2 mittee shall set the agenda of the steering
3 committee in carrying out the duties of the
4 steering committee under subparagraph
5 (B).

6 (ii) SUGGESTIONS.—The working
7 group may suggest topics or items for the
8 steering committee to study, and the steer-
9 ing committee shall take those suggestions
10 into consideration in carrying out the du-
11 ties of the steering committee.

12 (iii) REPORT.—The steering com-
13 mittee shall ensure that the report sub-
14 mitted under subparagraph (D) is the re-
15 sult of the independent judgment of the
16 steering committee.

17 (F) NO COMPENSATION FOR MEMBERS.—A
18 member of the steering committee shall serve
19 without compensation.

20 (G) TERMINATION.—The steering com-
21 mittee shall terminate on the date on which the
22 working group submits the report under para-
23 graph (6).

24 (6) REPORT TO CONGRESS.—

1 (A) IN GENERAL.—Not later than 18
2 months after the date of enactment of this Act,
3 the working group shall submit to Congress a
4 report that includes—

5 (i) the findings and recommendations
6 of the working group with respect to the
7 duties of the working group under para-
8 graph (2);

9 (ii) the report submitted by the steer-
10 ing committee under paragraph (5)(D), as
11 the report was received by the working
12 group;

13 (iii) recommendations for action or
14 reasons for inaction, as applicable, with re-
15 spect to each recommendation made by the
16 steering committee in the report submitted
17 under paragraph (5)(D); and

18 (iv) an accounting of any progress
19 made by Federal agencies to implement
20 recommendations made by the working
21 group or the steering committee.

22 (B) COPY OF REPORT.—The working
23 group shall submit a copy of the report de-
24 scribed in subparagraph (A) to—

1 (i) the Committee on Commerce,
2 Science, and Transportation and the Com-
3 mittee on Energy and Natural Resources
4 of the Senate;

5 (ii) the Committee on Energy and
6 Commerce of the House of Representa-
7 tives; and

8 (iii) any other committee of Congress,
9 upon request to the working group.

10 (c) ASSESSING SPECTRUM NEEDS.—

11 (1) IN GENERAL.—The Commission, in con-
12 sultation with the National Telecommunications and
13 Information Administration, shall issue a notice of
14 inquiry seeking public comment on the current, as of
15 the date of enactment of this Act, and future spec-
16 trum needs to enable better connectivity relating to
17 the Internet of Things.

18 (2) REQUIREMENTS.—In issuing the notice of
19 inquiry under paragraph (1), the Commission shall
20 seek comments that consider and evaluate—

21 (A) whether adequate spectrum is avail-
22 able, or is planned for allocation, for commer-
23 cial wireless services that could support the
24 growing Internet of Things;

1 (B) if adequate spectrum is not available
2 for the purposes described in subparagraph (A),
3 how to ensure that adequate spectrum is avail-
4 able for increased demand with respect to the
5 Internet of Things;

6 (C) what regulatory barriers may exist to
7 providing any needed spectrum that would sup-
8 port uses relating to the Internet of Things;
9 and

10 (D) what the role of unlicensed and li-
11 censed spectrum is and will be in the growth of
12 the Internet of Things.

13 (3) REPORT.—Not later than 1 year after the
14 date of enactment of this Act, the Commission shall
15 submit to the Committee on Commerce, Science, and
16 Transportation of the Senate and the Committee on
17 Energy and Commerce of the House of Representa-
18 tives a report summarizing the comments submitted
19 in response to the notice of inquiry issued under
20 paragraph (1).

1 **Subtitle E—Plans, Reports, and**
2 **Other Matters**

3 **SEC. 5241. REPORT ON DEPARTMENT OF DEFENSE STRAT-**
4 **EGY ON ARTIFICIAL INTELLIGENCE STAND-**
5 **ARDS.**

6 (a) REPORT REQUIRED.—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall submit to Congress a report on the role
9 of the Department of Defense in the development of artifi-
10 cial intelligence standards.

11 (b) CONTENTS.—The report required by subsection
12 (a) shall include an assessment of each of the following:

13 (1) The need for the Department of Defense to
14 develop an artificial intelligence standards strategy.

15 (2) Any efforts to date on the development of
16 such a strategy.

17 (3) The ways in which an artificial intelligence
18 standards strategy will improve the national secu-
19 rity.

20 (4) How the Secretary intends to collaborate
21 with—

22 (A) the Director of the National Institute
23 of Standards and Technology;

24 (B) the Secretary of Homeland Security;

25 (C) the intelligence community;

1 (D) the Secretary of State;

2 (E) representatives of private industry,
3 specifically representatives of the defense indus-
4 trial base; and

5 (F) representatives of any other agencies,
6 entities, organizations, or persons the Secretary
7 considers appropriate.

8 **SEC. 5242. STUDY ON ESTABLISHMENT OF ENERGETICS**
9 **PROGRAM OFFICE.**

10 The Under Secretary of Defense for Research and
11 Engineering shall conduct a study to assess the feasibility
12 and advisability of establishing a program office to coordi-
13 nate energetics research and to ensure a robust and sus-
14 tained energetics material enterprise.

15 **SEC. 5243. DEEPFAKE REPORT.**

16 (a) DEFINITIONS.—In this section:

17 (1) DIGITAL CONTENT FORGERY.—The term
18 “digital content forgery” means the use of emerging
19 technologies, including artificial intelligence and ma-
20 chine learning techniques, to fabricate or manipulate
21 audio, visual, or text content with the intent to mis-
22 lead.

23 (2) SECRETARY.—The term “Secretary” means
24 the Secretary of Homeland Security.

1 (b) REPORTS ON DIGITAL CONTENT FORGERY
2 TECHNOLOGY.—

3 (1) IN GENERAL.—Not later than 1 year after
4 the date of enactment of this Act, and annually
5 thereafter for 5 years, the Secretary, acting through
6 the Under Secretary for Science and Technology,
7 shall produce a report on the state of digital content
8 forgery technology.

9 (2) CONTENTS.—Each report produced under
10 paragraph (1) shall include—

11 (A) an assessment of the underlying tech-
12 nologies used to create or propagate digital con-
13 tent forgeries, including the evolution of such
14 technologies;

15 (B) a description of the types of digital
16 content forgeries, including those used to com-
17 mit fraud, cause harm, or violate civil rights
18 recognized under Federal law;

19 (C) an assessment of how foreign govern-
20 ments, and the proxies and networks thereof,
21 use, or could use, digital content forgeries to
22 harm national security;

23 (D) an assessment of how non-govern-
24 mental entities in the United States use, or
25 could use, digital content forgeries;

1 (E) an assessment of the uses, applica-
2 tions, dangers, and benefits of deep learning
3 technologies used to generate high fidelity arti-
4 ficial content of events that did not occur, in-
5 cluding the impact on individuals;

6 (F) an analysis of the methods used to de-
7 termine whether content is genuinely created by
8 a human or through digital content forgery
9 technology and an assessment of any effective
10 heuristics used to make such a determination,
11 as well as recommendations on how to identify
12 and address suspect content and elements to
13 provide warnings to users of the content;

14 (G) a description of the technological
15 counter-measures that are, or could be, used to
16 address concerns with digital content forgery
17 technology; and

18 (H) any additional information the Sec-
19 retary determines appropriate.

20 (3) CONSULTATION AND PUBLIC HEARINGS.—

21 In producing each report required under paragraph
22 (1), the Secretary may—

23 (A) consult with any other agency of the
24 Federal Government that the Secretary con-
25 siders necessary; and

1 (B) conduct public hearings to gather, or
2 otherwise allow interested parties an oppor-
3 tunity to present, information and advice rel-
4 evant to the production of the report.

5 (4) FORM OF REPORT.—Each report required
6 under paragraph (1) shall be produced in unclassi-
7 fied form, but may contain a classified annex.

8 (5) APPLICABILITY OF FOIA.—Nothing in this
9 section, or in a report produced under this section,
10 shall be construed to allow the disclosure of informa-
11 tion or a record that is exempt from public disclo-
12 sure under section 552 of title 5, United States
13 Code (commonly known as the “Freedom of Infor-
14 mation Act”).

15 (6) APPLICABILITY OF THE PAPERWORK RE-
16 DUCATION ACT.—Subchapter I of chapter 35 of title
17 44, United States Code (commonly known as the
18 “Paperwork Reduction Act”), shall not apply to this
19 section.

20 **SEC. 5244. CISA DIRECTOR.**

21 Subchapter II of chapter 53 of title 5, United States
22 Code, is amended—

23 (1) in section 5313, by inserting after the item
24 relating to “Administrator of the Transportation Se-
25 curity Administration” the following:

1 “Director, Cybersecurity and Infrastructure Security
2 Agency.”; and

3 (2) in section 5314, by striking the item relat-
4 ing to “Director, Cybersecurity and Infrastructure
5 Security Agency.”.

6 **SEC. 5245. AGENCY REVIEW.**

7 (a) REQUIREMENT OF COMPREHENSIVE REVIEW.—

8 In order to strengthen the Cybersecurity and Infrastruc-
9 ture Security Agency, the Secretary of Homeland Security
10 shall conduct a comprehensive review of the ability of the
11 Cybersecurity and Infrastructure Security Agency to ful-
12 fill—

13 (1) the missions of the Cybersecurity and Infra-
14 structure Security Agency; and

15 (2) the recommendations detailed in the report
16 issued by the Cyberspace Solarium Commission
17 under section 1652(k) of the John S. McCain Na-
18 tional Defense Authorization Act for Fiscal Year
19 2019 (Public Law 115–232).

20 (b) ELEMENTS OF REVIEW.—The review conducted
21 under subsection (a) shall include the following elements:

22 (1) An assessment of how additional budget re-
23 sources could be used by the Cybersecurity and In-
24 frastructure Security Agency for projects and pro-
25 grams that—

1 (A) support the national risk management
2 mission;

3 (B) support public and private-sector cy-
4 bersecurity;

5 (C) promote public-private integration; and

6 (D) provide situational awareness of cyber-
7 security threats.

8 (2) A comprehensive force structure assessment
9 of the Cybersecurity and Infrastructure Security
10 Agency including—

11 (A) a determination of the appropriate size
12 and composition of personnel to accomplish the
13 mission of the Cybersecurity and Infrastructure
14 Security Agency, as well as the recommenda-
15 tions detailed in the report issued by the Cyber-
16 space Solarium Commission under section
17 1652(k) of the John S. McCain National De-
18 fense Authorization Act for Fiscal Year 2019
19 (Public Law 115–232);

20 (B) an assessment of whether existing per-
21 sonnel are appropriately matched to the
22 prioritization of threats in the cyber domain
23 and risks in critical infrastructure;

1 (C) an assessment of whether the Cyberse-
2 curity and Infrastructure Security Agency has
3 the appropriate personnel and resources to—

4 (i) perform risk assessments, threat
5 hunting, incident response to support both
6 private and public cybersecurity;

7 (ii) carry out the responsibilities of
8 the Cybersecurity and Infrastructure Secu-
9 rity Agency related to the security of Fed-
10 eral information and Federal information
11 systems; and

12 (iii) carry out the critical infrastruc-
13 ture responsibilities of the Cybersecurity
14 and Infrastructure Security Agency, in-
15 cluding national risk management; and

16 (D) an assessment of whether current
17 structure, personnel, and resources of regional
18 field offices are sufficient in fulfilling agency re-
19 sponsibilities and mission requirements.

20 (c) SUBMISSION OF REVIEW.—Not later than 1 year
21 after the date of the enactment of this Act, the Secretary
22 of Homeland Security shall submit a report to Congress
23 detailing the results of the assessments required under
24 subsection (b), including recommendations to address any
25 identified gaps.

1 **SEC. 5246. GENERAL SERVICES ADMINISTRATION REVIEW.**

2 (a) REVIEW.—The Administrator of the General
3 Services Administration shall—

4 (1) conduct a review of current Cybersecurity
5 and Infrastructure Security Agency facilities and as-
6 sess the suitability of such facilities to fully support
7 current and projected mission requirements nation-
8 ally and regionally; and

9 (2) make recommendations regarding resources
10 needed to procure or build a new facility or augment
11 existing facilities to ensure sufficient size and ac-
12 commodations to fully support current and projected
13 mission requirements, including the integration of
14 personnel from the private sector and other depart-
15 ments and agencies.

16 (b) SUBMISSION OF REVIEW.—Not later than 1 year
17 after the date of the enactment of this Act, the Adminis-
18 trator of the General Services Administration shall submit
19 the review required under subsection (a) to—

20 (1) the President;

21 (2) the Secretary of Homeland Security; and

22 (3) to the Committee on Homeland Security
23 and Governmental Affairs of the Senate and the
24 Committee on Homeland Security of the House of
25 Representatives.

1 **TITLE LIII—OPERATION AND**
2 **MAINTENANCE**
3 **Subtitle C—Logistics and**
4 **Sustainment**

5 **SEC. 5331. USE OF COST SAVINGS REALIZED FROM INTER-**
6 **GOVERNMENTAL SERVICES AGREEMENTS**
7 **FOR INSTALLATION-SUPPORT SERVICES.**

8 (a) REQUIREMENT.—Section 2679 of title 10, United
9 States Code, is amended—

10 (1) by redesignating subsections (d) and (e) as
11 subsections (e) and (f), respectively; and

12 (2) by inserting after subsection (c) the fol-
13 lowing new subsection (d):

14 “(d) USE OF COST SAVINGS REALIZED.—(1) With
15 respect to a fiscal year in which cost savings are realized
16 as a result of entering into an intergovernmental support
17 agreement under this section for a military installation,
18 the Secretary concerned shall make not less than 25 per-
19 cent of the amount of such savings available for use by
20 the commander of the installation solely for sustainment
21 restoration and modernization requirements that have
22 been approved by the major subordinate command or
23 equivalent component.

24 “(2) Not less frequently than annually, the Secretary
25 concerned shall certify to the congressional defense com-

1 mittee the amount of the cost savings achieved, the source
2 and type of intergovernmental support agreement that
3 achieved the savings, and the manner in which those sav-
4 ings were deployed, disaggregated by installation.”.

5 (b) EFFECTIVE DATE.—The amendments made by
6 this section shall apply with respect to fiscal year 2021
7 and each subsequent fiscal year.

8 **Subtitle D—Reports**

9 **SEC. 5351. REPORT ON NON-PERMISSIVE, GLOBAL POSI-** 10 **TIONING SYSTEM DENIED AIRFIELD CAPA-** 11 **BILITIES.**

12 (a) IN GENERAL.—Not later than February 1, 2021,
13 the Secretary of Defense shall submit to the congressional
14 defense committees a report assessing the ability of each
15 combatant command to conduct all-weather, day-night air-
16 field operations in a non-permissive, global positioning sys-
17 tem denied environment.

18 (b) ELEMENTS.—The report required under sub-
19 section (a) shall include, at a minimum, the following:

20 (1) An assessment of current air traffic control
21 and landing systems at existing airfields and contin-
22 gency airfields.

23 (2) An assessment of the ability of each com-
24 batant command to conduct all-weather, day-night
25 airfield flight operations in a non-permissive, global

1 positioning system denied environment at existing
2 and contingency airfields, including aircraft tracking
3 and precision landing.

4 (3) An assessment of the ability of each com-
5 batant command to rapidly set up and conduct oper-
6 ations at alternate airfields, including the ability to
7 receive and deploy forces in a non-permissive, global
8 positioning system denied environment.

9 (4) A list of backup systems in place or pre-po-
10 sitioned to be able to reconstitute operations after
11 an attack.

12 **Subtitle E—Other Matters**

13 **SEC. 5371. INCREASE OF AMOUNTS AVAILABLE TO MARINE** 14 **CORPS FOR BASE OPERATIONS AND SUP-** 15 **PORT.**

16 (a) INCREASE OF BASE OPERATIONS AND SUP-
17 PORT.—The amount authorized to be appropriated for fis-
18 cal year 2021 for operation and maintenance for the Ma-
19 rine Corps, is hereby increased by \$47,600,000, with the
20 amount of the increase to be available for base operations
21 and support (SAG BSS1).

22 (b) OFFSETS.—

23 (1) OPERATION AND MAINTENANCE.—The
24 amount authorized to be appropriated for fiscal year
25 2021 for operation and maintenance for the Marine

1 Corps, is hereby reduced by \$4,700,000, with the
2 amount of the reduction to be derived from SAG
3 1A1A.

4 (2) MODIFICATION KIT PROCUREMENT.—The
5 amount authorized to be appropriated for fiscal year
6 2021 for procurement for the Marine Corps, is here-
7 by reduced by \$3,100,000, with the amount of the
8 reduction to be derived from Line 7, Modification
9 Kits.

10 (3) DIRECT SUPPORT MUNITION PROCURE-
11 MENT.—The amount authorized to be appropriated
12 for fiscal year 2021 for procurement and ammuni-
13 tion for the Marine Corps, is hereby reduced by
14 \$39,800,000, with the amount of the reduction to be
15 derived from Line 17, Direct Support Munitions.

16 **SEC. 5372. MODERNIZATION OF CONGRESSIONAL REPORTS**
17 **PROCESS.**

18 (a) INCREASE IN O&M, DEFENSE-WIDE ACTIVI-
19 TIES.—The amount authorized to be appropriated for fis-
20 cal year 2021 by section 301 is hereby increased by
21 \$2,000,000, with the amount of the increase to be avail-
22 able for operation and maintenance, Defense-wide activi-
23 ties, for SAG 4GTN Office of the Secretary of Defense
24 for modernization of the congressional reports process.

1 (b) OFFSET.—The amount authorized to be appro-
 2 priated for fiscal year 2021 by section 301 is hereby de-
 3 creased by \$2,000,000, with the amount of the decrease
 4 to be applied against amounts available for operation and
 5 maintenance, Army, for SAG 421 for Servicewide Trans-
 6 portation for historical underexecution.

7 **TITLE LV—MILITARY**
 8 **PERSONNEL POLICY**
 9 **Subtitle C—General Service**
 10 **Authorities**

11 **SEC. 5516. REPORT ON IMPLEMENTATION OF REC-**
 12 **COMMENDATIONS OF THE COMPTROLLER**
 13 **GENERAL OF THE UNITED STATES ON RE-**
 14 **CRUITMENT AND RETENTION OF FEMALE**
 15 **MEMBERS OF THE ARMED FORCES.**

16 Not later than 180 days after the date of the enact-
 17 ment of this Act, the Secretary of Defense shall submit
 18 to the Committees on Armed Services of the Senate and
 19 the House of Representatives a report setting forth a com-
 20 prehensive plan to implement and accomplish the rec-
 21 ommendations for the Department of Defense in keeping
 22 with the May 2020 report of the Government Account-
 23 ability Office titled “Female Active-Duty Personnel: Guid-
 24 ance and Plans Needed for Recruitment and Retention Ef-
 25 forts”, namely the recommendations as follows:

1 (1) The Secretary of Defense must ensure that
2 the Under Secretary of Defense for Personnel and
3 Readiness provides guidance to each of the Armed
4 Forces to develop plans, with clearly defined goals,
5 performance measures, and timeframes, to guide
6 and monitor the efforts in connection with the re-
7 cruitment and retention of female members.

8 (2) Each Secretary of a military department
9 must develop a plan, with clearly defined goals, per-
10 formance measures, and timeframes, to guide and
11 monitor the efforts of each Armed Force under the
12 jurisdiction of such Secretary in connection with the
13 recruitment and retention of female members in
14 such Armed Force.

15 **Subtitle F—Decorations and** 16 **Awards**

17 **SEC. 5551. REPORT ON REGULATIONS AND PROCEDURES** 18 **TO IMPLEMENT PROGRAMS ON AWARD OF** 19 **MEDALS OR COMMENDATIONS TO HANDLERS** 20 **OF MILITARY WORKING DOGS.**

21 Not later than 90 days after the date of the enact-
22 ment of this Act, the Secretary of Defense shall submit
23 to the Committees on Armed Services of the Senate and
24 the House of Representatives a report on the regulations
25 and other procedures prescribed by the Secretaries of the

1 military departments in order to implement and carry out
2 the programs of the military departments on the award
3 of medals or other commendations to handlers of military
4 working dogs required by section 582 of the John S.
5 McCain National Defense Authorization Act for Fiscal
6 Year 2019 (Public Law 115–232; 132 Stat. 1787; 10
7 U.S.C. 1121 note prec.).

8 **Subtitle G—Defense Dependents’**
9 **Education and Military Family**
10 **Readiness Matters**

11 **PART II—MILITARY FAMILY READINESS**
12 **MATTERS**

13 **SEC. 5571. INDEPENDENT STUDY AND REPORT ON MILI-**
14 **TARY SPOUSE UNDEREMPLOYMENT.**

15 (a) INDEPENDENT STUDY.—Not later than 30 days
16 after the date of the enactment of this Act, the Secretary
17 of Defense shall seek to enter into a contract with a Feder-
18 ally funded research and development center to conduct
19 a study on underemployment among military spouses. The
20 study shall consider, at a minimum, the following:

21 (1) The prevalence of unemployment and
22 underemployment among military spouses, including
23 differences by Armed Force, region, State, education
24 level, and income level.

1 (2) The causes of unemployment and under-
2 employment among military spouses.

3 (3) The differences in unemployment and
4 underemployment between military spouses and civil-
5 ians.

6 (4) Barriers to small business ownership and
7 entrepreneurship faced by military spouses.

8 (b) SUBMITTAL TO DOD.—Not later than 240 days
9 after the date of the enactment of this Act, the Federally
10 funded research and development center with which the
11 Secretary contracts pursuant to subsection (a) shall sub-
12 mit to the Secretary a report containing the results of the
13 study conducted pursuant to that subsection.

14 (c) TRANSMITTAL TO CONGRESS.—Not later than
15 270 days after the date of the enactment of this Act, the
16 Secretary shall transmit to the appropriate committees of
17 Congress the report under subsection (b), without change.

18 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
19 FINED.—In this section, the term “appropriate commit-
20 tees of Congress” means the following—

21 (1) the Committee on Armed Services, the
22 Committee on Health, Education, Labor, and Pen-
23 sions, the Committee on Small Business and Entre-
24 preneurship, and Committee on Appropriations of
25 the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Education and Labor, the Committee
3 on Small Business, and Committee on Appropria-
4 tions of the House of Representatives.

5 **Subtitle H—Other Matters**

6 **SEC. 5586. QUESTIONS REGARDING RACISM, ANTI-SEMI-** 7 **TISM, AND SUPREMACISM IN WORKPLACE** 8 **SURVEYS ADMINISTERED BY THE SEC-** 9 **RETARY OF DEFENSE.**

10 Section 593 of the National Defense Authorization
11 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
12 ed—

13 (1) by inserting “(a) QUESTIONS REQUIRED.—
14 ” before “The Secretary”;

15 (2) in paragraph (1), by inserting “, racist,
16 anti-Semitic, or supremacist” after “extremist”; and

17 (3) by adding at the end the following new sub-
18 section:

19 “(b) REPORT.—Not later than March 1, 2021, the
20 Secretary shall submit to Congress a report including—

21 “(1) the text of the questions included in sur-
22 veys under subsection (a); and

23 “(2) which surveys include such questions.”.

1 **SEC. 5587. BRIEFING ON THE IMPLEMENTATION OF RE-**
2 **QUIREMENTS ON CONNECTIONS OF RETIR-**
3 **ING AND SEPARATING MEMBERS OF THE**
4 **ARMED FORCES WITH COMMUNITY-BASED**
5 **ORGANIZATIONS AND RELATED ENTITIES.**

6 Not later than 90 days after the date of the enact-
7 ment of this Act, the Secretary of Defense shall brief Con-
8 gress on the current status of the implementation of the
9 requirements of section 570F of the National Defense Au-
10 thorization Act for Fiscal Year 2020 (Public Law 116-
11 92; 133 Stat. 1401; 10 U.S.C. 1142 note), relating to con-
12 nections of retiring and separating members of the Armed
13 Forces with community-based organizations and related
14 entities.

15 **SEC. 5590. PILOT PROGRAMS ON REMOTE PROVISION BY**
16 **NATIONAL GUARD TO STATE GOVERNMENTS**
17 **AND NATIONAL GUARDS OF OTHER STATES**
18 **OF CYBERSECURITY TECHNICAL ASSISTANCE**
19 **IN TRAINING, PREPARATION, AND RESPONSE**
20 **TO CYBER INCIDENTS.**

21 (a) **INEFFECTIVENESS OF SECTION 590.**—Section
22 590 shall have no force or effect.

23 (b) **PILOT PROGRAMS AUTHORIZED.**—The Secretary
24 of the Army and the Secretary of the Air Force may each,
25 in coordination with the Secretary of Homeland Security
26 and in consultation with the Chief of the National Guard

1 Bureau, conduct a pilot program to assess the feasibility
2 and advisability of the development of a capability within
3 the National Guard through which a National Guard of
4 a State remotely provides State governments and National
5 Guards of other States (whether or not in the same Armed
6 Force as the providing National Guard) with cybersecurity
7 technical assistance in training, preparation, and response
8 to cyber incidents. If such Secretary elects to conduct such
9 a pilot program, such Secretary shall be known as an “ad-
10 ministering Secretary” for purposes of this section, and
11 any reference in this section to “the pilot program” shall
12 be treated as a reference to the pilot program conducted
13 by such Secretary.

14 (c) ASSESSMENT PRIOR TO COMMENCEMENT.—For
15 purposes of evaluating existing platforms, technologies,
16 and capabilities under subsection (d), and for establishing
17 eligibility and participation requirements under subsection
18 (d), for purposes of the pilot program, an administering
19 Secretary, in consultation with the Chief of the National
20 Guard Bureau, shall, prior to commencing the pilot pro-
21 gram—

22 (1) conduct an assessment of—

23 (A) existing cyber response capacities of
24 the Army National Guard or Air National
25 Guard, as applicable, in each State; and

1 (B) any existing platform, technology, or
2 capability of a National Guard that provides the
3 capability described in subsection (b); and

4 (2) determine whether a platform, technology,
5 or capability described in paragraph (1)(B) is suit-
6 able for expansion for purposes of the pilot program.

7 (d) ELEMENTS.—A pilot program under subsection
8 (b) shall include the following:

9 (1) A technical capability that enables the Na-
10 tional Guard of a State to remotely provide cyberse-
11 curity technical assistance to State governments and
12 National Guards of other States, without the need to
13 deploy outside its home State.

14 (2) Policies, processes, procedures, and authori-
15 ties for use of such a capability, including with re-
16 spect to the following:

17 (A) The roles and responsibilities of both
18 requesting and deploying State governments
19 and National Guards with respect to such tech-
20 nical assistance, taking into account the mat-
21 ters specified in subsection (g).

22 (B) Necessary updates to the Defense
23 Cyber Incident Coordinating Procedure, or any
24 other applicable Department of Defense instruc-

1 tion, for purposes of implementing the capa-
2 bility.

3 (C) Program management and governance
4 structures for deployment and maintenance of
5 the capability.

6 (D) Security when performing remote sup-
7 port, including such in matters such as authen-
8 tication and remote sensing.

9 (3) The conduct, in coordination with the Chief
10 of the National Guard Bureau and the Secretary of
11 Homeland Security and in consultation with the Di-
12 rector of the Federal Bureau of Investigation, other
13 Federal agencies, and appropriate non-Federal enti-
14 ties, of at least one exercise to demonstrate the ca-
15 pability, which exercise shall include the following:

16 (A) Participation of not fewer than two
17 State governments and their National Guards.

18 (B) Circumstances designed to test and
19 validate the policies, processes, procedures, and
20 authorities developed pursuant to paragraph
21 (2).

22 (C) An after action review of the exercise.

23 (e) USE OF EXISTING TECHNOLOGY.—An admin-
24 istering Secretary may use an existing platform, tech-

1 nology, or capability to provide the capability described in
2 subsection (b) under the pilot program.

3 (f) ELIGIBILITY AND PARTICIPATION REQUIRE-
4 MENTS.—An administering Secretary shall, in consulta-
5 tion with the Chief of the National Guard Bureau, estab-
6 lish requirements with respect to eligibility and participa-
7 tion of State governments and their National Guards in
8 the pilot program.

9 (g) CONSTRUCTION WITH CERTAIN CURRENT AU-
10 THORITIES.—

11 (1) COMMAND AUTHORITIES.—Nothing in a
12 pilot program under subsection (b) may be con-
13 strued as affecting or altering the command authori-
14 ties otherwise applicable to any unit of the National
15 Guard unit participating in the pilot program.

16 (2) EMERGENCY MANAGEMENT ASSISTANCE
17 COMPACT.—Nothing in a pilot program may be con-
18 strued as affecting or altering any current agree-
19 ment under the Emergency Management Assistance
20 Compact, or any other State agreements, or as de-
21 terminative of the future content of any such agree-
22 ment.

23 (h) EVALUATION METRICS.—An administering Sec-
24 retary shall, in consultation with the Chief of the National
25 Guard Bureau and the Secretary of Homeland Security,

1 establish metrics to evaluate the effectiveness of the pilot
2 program.

3 (i) TERM.—A pilot program under subsection (b)
4 shall terminate on the date that is three years after the
5 date of the commencement of the pilot program.

6 (j) REPORTS.—

7 (1) INITIAL REPORT.—Not later than 180 days
8 after the date of the commencement of the pilot pro-
9 gram, the administering Secretary, in coordination
10 with the Secretary of Homeland Security, shall sub-
11 mit to the appropriate committees of Congress a re-
12 port setting forth a description of the pilot program
13 and such other matters in connection with the pilot
14 program as the Secretary considers appropriate.

15 (2) FINAL REPORT.—Not later than 180 days
16 after the termination of the pilot program, the ad-
17 ministering Secretary, in coordination with the Sec-
18 retary of Homeland Security, shall submit to the ap-
19 propriate committees of Congress a report on the
20 pilot program. The report shall include the following:

21 (A) A description of the pilot program, in-
22 cluding any partnerships entered into by the
23 Chief of the National Guard Bureau under the
24 pilot program.

1 (B) A summary of the assessment per-
2 formed prior to the commencement of the pilot
3 program in accordance with subsection (c).

4 (C) A summary of the evaluation metrics
5 established in accordance with subsection (h).

6 (D) An assessment of the effectiveness of
7 the pilot program, and of the capability de-
8 scribed in subsection (b) under the pilot pro-
9 gram.

10 (E) A description of costs associated with
11 the implementation and conduct of the pilot
12 program.

13 (F) A recommendation as to the termi-
14 nation or extension of the pilot program, or the
15 making of the pilot program permanent with an
16 expansion nationwide.

17 (G) An estimate of the costs of making the
18 pilot program permanent and expanding it na-
19 tionwide in accordance with the recommenda-
20 tion in subparagraph (F).

21 (H) Such recommendations for legislative
22 or administrative action as the Secretary con-
23 siders appropriate in light of the pilot program.

1 (3) APPROPRIATE COMMITTEES OF CONGRESS
2 DEFINED.—In this subsection, the term “appro-
3 priate committees of Congress” means—

4 (A) the Committee on Armed Services and
5 the Committee on Homeland Security and Gov-
6 ernmental Affairs of the Senate; and

7 (B) the Committee on Armed Services and
8 the Committee on Homeland Security of the
9 House of Representatives.

10 (k) STATE DEFINED.—In this section, the term
11 “State” means each of the several States, the District of
12 Columbia, the Commonwealth of Puerto Rico, American
13 Samoa, Guam, the United States Virgin Islands, and the
14 Commonwealth of the Northern Mariana Islands.

15 **TITLE LVII—HEALTH CARE**
16 **PROVISIONS**

17 **Subtitle A—TRICARE and Other**
18 **Health Care Provisions**

19 **SEC. 5707. PILOT PROGRAM ON RECEIPT OF NON-GENERIC**
20 **PRESCRIPTION MAINTENANCE MEDICATIONS**
21 **UNDER TRICARE PHARMACY BENEFITS PRO-**
22 **GRAM.**

23 The reference in section 707(c) to section
24 1074g(a)(9)(C)(i) of title 10, United States Code, is

1 deemed to be a reference to section 1074g(a)(9)(C)(ii) of
2 title 10, United States Code.

3 **Subtitle B—Health Care** 4 **Administration**

5 **SEC. 5723. AUTHORITY OF SECRETARY OF DEFENSE TO**
6 **WAIVE REQUIREMENTS DURING NATIONAL**
7 **EMERGENCIES FOR PURPOSES OF PROVI-**
8 **SION OF HEALTH CARE.**

9 Section 723 and the amendments made by that sec-
10 tion shall have no force or effect.

11 **Subtitle C—Reports and Other** 12 **Matters**

13 **SEC. 5741. STUDY AND REPORT ON SURGE CAPACITY OF**
14 **DEPARTMENT OF DEFENSE TO ESTABLISH**
15 **NEGATIVE AIR ROOM CONTAINMENT SYS-**
16 **TEMS IN MILITARY MEDICAL TREATMENT FA-**
17 **CILITIES.**

18 (a) STUDY.—The Director of the Defense Health
19 Agency shall conduct a study on the use, scalability, and
20 military requirements for commercial off the shelf negative
21 air pressure room containment systems in order to im-
22 prove pandemic preparedness at military medical treat-
23 ment facilities worldwide, to include an assessment of
24 whether such systems would improve the readiness of the
25 Department of Defense to expand capability and capacity

1 to evaluate and treat patients at such facilities during a
2 pandemic.

3 (b) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the Director of the Defense
5 Health Agency shall submit to the Committees on Armed
6 Services of the Senate and the House of Representatives
7 a report on the findings of the study conducted under sub-
8 section (a).

9 **TITLE LVIII—ACQUISITION POL-**
10 **ICY, ACQUISITION MANAGE-**
11 **MENT, AND RELATED MAT-**
12 **TERS**

13 **Subtitle A—Industrial Base Matters**

14 **SEC. 5801. REPORT ON USE OF DOMESTIC NONAVAIL-**
15 **ABILITY DETERMINATIONS.**

16 Not later than September 30, 2021, and annually
17 thereafter, the Secretary of Defense shall submit a report
18 to congressional defense committees—

19 (1) describing in detail the use of any waiver or
20 exception to the requirements of section 2533a of
21 title 10, United States Code, relating to domestic
22 nonavailability determinations;

23 (2) providing reasoning for the use of each such
24 waiver or exception; and

1 (3) providing an assessment of the impact on
2 the use of such waivers or exceptions due to the
3 COVID–19 pandemic and associated challenges with
4 investments in domestic sources.

5 **SEC. 5802. REPORT ON THE EFFECT OF THE DEFENSE MAN-**
6 **UFACTURING COMMUNITIES SUPPORT PRO-**
7 **GRAM ON THE DEFENSE SUPPLY CHAIN.**

8 Not later than September 30, 2021, the Secretary of
9 Defense shall submit to Congress a report evaluating the
10 effect of the Defense Manufacturing Communities Sup-
11 port Program on the defense supply chain. The evaluation
12 should consider the program’s effect on—

- 13 (1) the diversification of the supply chain;
14 (2) procurement costs; and
15 (3) efficient procurement processes.

16 **SEC. 5803. IMPROVING IMPLEMENTATION OF POLICY PER-**
17 **TAINING TO THE NATIONAL TECHNOLOGY**
18 **AND INDUSTRIAL BASE.**

19 Section 803(d)(2) is deemed amended as follows:

- 20 (1) Subparagraph (A) of such section is deemed
21 to read as follows:

22 “(A) analysis of the national security im-
23 pacts, cost, and benefits to the United States
24 and allies of the inclusion of such additional
25 member nation in the national technology and

1 industrial base, including criticality to program
2 and mission accomplishment;”.

3 (2) In the stem of subparagraph (B) of such
4 section, “costs,” is deemed to be read “impacts,
5 costs,”.

6 (3) In clause (ii) of subparagraph (B) of such
7 section “base;” is deemed to read “base, including
8 costs to reconstitute capability should such capa-
9 bility be lost to competition;”.

10 **SEC. 5808. ADDITIONAL REQUIREMENTS PERTAINING TO**
11 **PRINTED CIRCUIT BOARDS.**

12 Section 808 is deemed to include at the end the fol-
13 lowing:

14 “(h) SENSE OF CONGRESS ON MITIGATING RISKS OF
15 RELIANCE ON CERTAIN SOURCES OF SUPPLY AND MANU-
16 FACTURING FOR PRINTED CIRCUIT BOARDS.—It is the
17 sense of Congress that—

18 “(1) the Department of Defense must take
19 steps to reduce and mitigate risks of reliance on cer-
20 tain sources of supply and manufacturing for print-
21 ed circuit boards; and

22 “(2) the provisions of this section are intended
23 to augment, rather than reduce or supersede, cur-
24 rent efforts to reduce and mitigate such risks.”.

1 **SEC. 5812. MISCELLANEOUS LIMITATIONS ON THE PRO-**
2 **CUREMENT OF GOODS OTHER THAN UNITED**
3 **STATES GOODS.**

4 Notwithstanding the amendments made by section
5 812—

6 (1) the subparagraph (A) proposed to be in-
7 cluded in subsection (a)(2) of section 2534 of title
8 10, United States Code, shall not be included;

9 (2) subsection (b) of such section is deemed to
10 read as follows:

11 “(b) MANUFACTURER IN THE NATIONAL TECH-
12 NOLOGY AND INDUSTRIAL BASE.—A manufacturer meets
13 the requirements of this subsection if the manufacturer
14 is part of the national technology and industrial base.”;
15 and

16 (3) the amendment to subsection (h) of such
17 section is deemed to insert the following: “subsection
18 (a)(2)”.

1 **Subtitle C—Amendments to Gen-**
 2 **eral Contracting Authorities,**
 3 **Procedures, and Limitations**

4 **SEC. 5841. WAIVERS OF CERTAIN CONDITIONS FOR**
 5 **PROGRESS PAYMENTS UNDER CERTAIN CON-**
 6 **TRACTS DURING THE COVID-19 NATIONAL**
 7 **EMERGENCY.**

8 During the national emergency declared under the
 9 National Emergencies Act (50 U.S.C. 1601 et seq.) with
 10 respect to the coronavirus disease 2019 (commonly re-
 11 ferred to as “COVID-19”), the Secretary of Defense may
 12 waive section 2307(e)(2) of title 10, United States Code,
 13 with respect to progress payments for any undefinitized
 14 contract.

15 **Subtitle E—Small Business Matters**

16 **SEC. 5871. OFFICE OF SMALL BUSINESS AND DISADVAN-**
 17 **TAGED BUSINESS UTILIZATION.**

18 Section 15(k) of the Small Business Act (15 U.S.C.
 19 644(k)) is amended, in the matter preceding paragraph
 20 (1)—

21 (1) by inserting after the first sentence the fol-
 22 lowing: “If the Government Accountability Office
 23 has determined that a Federal agency is not in com-
 24 pliance with all of the requirements under this sub-
 25 section, the Federal agency shall, not later than 120

1 days after that determination or 120 days after the
2 date of enactment of this sentence, whichever is
3 later, submit to the Committee on Small Business
4 and Entrepreneurship of the Senate and the Com-
5 mittee on Small Business of the House of Rep-
6 resentatives a report that includes the reasons why
7 the Federal agency is not in compliance and the spe-
8 cific actions that the Federal agency will take to
9 comply with the requirements under this sub-
10 section.”; and

11 (2) by striking “The management of each such
12 office” and inserting “The management of each Of-
13 fice of Small Business and Disadvantaged Business
14 Utilization”.

15 **SEC. 5872. ELIGIBILITY OF THE COMMONWEALTH OF THE**
16 **NORTHERN MARIANA ISLANDS FOR CERTAIN**
17 **SMALL BUSINESS ADMINISTRATION PRO-**
18 **GRAMS.**

19 The Small Business Act (15 U.S.C. 631 et seq.) is
20 amended—

21 (1) in section 21(a) (15 U.S.C. 648(a))—

22 (A) in paragraph (1), by inserting before
23 “The Administration shall require” the fol-
24 lowing new sentence: “The previous sentence
25 shall not apply to an applicant that has its

1 principal office located in the Commonwealth of
 2 the Northern Mariana Islands.”; and

3 (B) in paragraph (4)(C)(ix), by striking
 4 “and American Samoa” and inserting “Amer-
 5 ican Samoa, and the Commonwealth of the
 6 Northern Mariana Islands”; and

7 (2) in section 34(a)(9) (15 U.S.C. 657d(a)(9)),
 8 by striking “and American Samoa” and inserting
 9 “American Samoa, and the Commonwealth of the
 10 Northern Mariana Islands”.

11 **SEC. 5873. DISASTER DECLARATION IN RURAL AREAS.**

12 (a) IN GENERAL.—Section 7(b) of the Small Busi-
 13 ness Act (15 U.S.C. 636(b)) is amended by inserting after
 14 paragraph (15) the following:

15 “(16) DISASTER DECLARATION IN RURAL
 16 AREAS.—

17 “(A) DEFINITIONS.—In this paragraph—

18 “(i) the term ‘rural area’ means an
 19 area with a population of less than
 20 200,000 outside an urbanized area; and

21 “(ii) the term ‘significant damage’
 22 means, with respect to property, uninsured
 23 losses of not less than 40 percent of the es-
 24 timated fair replacement value or pre-dis-

1 aster fair market value of the damaged
2 property, whichever is lower.

3 “(B) DISASTER DECLARATION.—Notwith-
4 standing section 123.3(a) of title 13, Code of
5 Federal Regulations, or any successor regula-
6 tion, the Administrator may declare a disaster
7 in a rural area for which a major disaster was
8 declared by the President under section 401 of
9 the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C. 5170)
11 if—

12 “(i) the Governor of the State in
13 which the rural area is located requests
14 such a declaration; and

15 “(ii) any home, small business con-
16 cern, private nonprofit organization, or
17 small agricultural cooperative has incurred
18 significant damage in the rural area.

19 “(C) SBA REPORT.—Not later than 120
20 days after the date of enactment of this Act,
21 and every year thereafter, the Administrator
22 shall submit to the Committee on Small Busi-
23 ness and Entrepreneurship of the Senate and
24 the Committee on Small Business of the House
25 of Representatives a report on, with respect to

1 the 1-year period preceding submission of the
2 report—

3 “(i) any economic injury that resulted
4 from a major disaster declared by the
5 President under section 401 of the Robert
6 T. Stafford Disaster Relief and Emergency
7 Assistance Act (42 U.S.C. 5170) in a rural
8 area;

9 “(ii) each request for assistance made
10 by the Governor of a State under subpara-
11 graph (B)(i) and the response of the Ad-
12 ministrator, including the timeline for each
13 response; and

14 “(iii) any regulatory changes that will
15 impact the ability of communities in rural
16 areas to obtain disaster assistance under
17 this subsection.”.

18 (b) REGULATIONS.—Not later than 120 days after
19 the date of enactment of this Act, the Administrator of
20 the Small Business Administration shall issue regulations
21 to carry out the amendment made by subsection (a).

22 (c) GAO REPORT.—

23 (1) DEFINITION OF RURAL AREA.—In this sub-
24 section, the term “rural area” means an area with

1 a population of less than 200,000 outside an urban-
2 ized area.

3 (2) REPORT.—Not later than 120 days after
4 the date of enactment of this Act, the Comptroller
5 General of the United States shall submit to the
6 Committee on Small Business and Entrepreneurship
7 of the Senate and the Committee on Small Business
8 of the House of Representatives a report on—

9 (A) any unique challenges that commu-
10 nities in rural areas face compared to commu-
11 nities in metropolitan areas when seeking to ob-
12 tain disaster assistance under section 7(b) of
13 the Small Business Act (15 U.S.C. 636(b)); and

14 (B) legislative recommendations for im-
15 proving access to disaster assistance for com-
16 munities in rural areas.

17 **SEC. 5874. TEMPORARY EXTENSION FOR 8(A) PARTICI-**
18 **PANTS.**

19 The Administrator of the Small Business Administra-
20 tion shall allow a small business concern (as defined in
21 section 3 of the Small Business Act (15 U.S.C. 632)) par-
22 ticipating in the program established under section 8(a)
23 of the Small Business Act (15 U.S.C. 637(a)) on the date
24 of enactment of this section to extend such participation
25 by a period of 1 year.

1 **SEC. 5875. MAXIMUM AWARD PRICE FOR SOLE SOURCE**
 2 **MANUFACTURING CONTRACTS.**

3 The Small Business Act (15 U.S.C. 631 et seq.) is
 4 amended—

5 (1) in section 8 (15 U.S.C. 637)—

6 (A) in subsection (a)(1)(D)(i)(II), by strik-
 7 ing “\$5,000,000” and inserting “\$7,000,000”;
 8 and

9 (B) in subsection (m)—

10 (i) in paragraph (7)(B)(i), by striking
 11 “\$6,500,000” and inserting “\$7,000,000”;
 12 and

13 (ii) in paragraph (8)(B)(i), by striking
 14 “\$6,500,000” and inserting “\$7,000,000”;

15 (2) in section 31(c)(2)(A)(ii)(I) (15 U.S.C.
 16 657a(c)(2)(A)(ii)(I)), by striking “\$5,000,000” and
 17 inserting “\$7,000,000”; and

18 (3) in section 36(a)(2)(A) (15 U.S.C.
 19 657f(a)(2)(A)), by striking “\$5,000,000” and insert-
 20 ing “\$7,000,000”.

21 **SEC. 5876. ANNUAL REPORTS REGARDING THE SBIR PRO-**
 22 **GRAM OF THE DEPARTMENT OF DEFENSE.**

23 (a) DEFINITIONS.—In this section—

24 (1) the term “SBIR” has the meaning given
 25 the term in section 9(e)(4) of the Small Business
 26 Act (15 U.S.C. 638(e)(4)); and

1 (2) the term “Secretary” means the Secretary
2 of Defense.

3 (b) REPORTS REQUIRED.—Not later than 90 days
4 after the date of enactment of this Act, and not later than
5 120 days after the end of each fiscal year that begins after
6 that date of enactment, the Secretary, after consultation
7 with the Secretary of each branch of the Armed Forces,
8 shall submit, through the Under Secretary of Defense for
9 Research and Engineering, to Congress a report that ad-
10 dresses—

11 (1) the ways in which the Secretary, as of the
12 date on which the report is submitted, is using in-
13 centives to Department of Defense program man-
14 agers under section 9(y)(6)(B) of the Small Busi-
15 ness Act (15 U.S.C. 638(y)(6)(B)) to increase the
16 number of Phase II SBIR contracts awarded by the
17 Secretary that lead to technology transition into pro-
18 grams of record or fielded systems, which shall in-
19 clude the judgment of the Secretary regarding the
20 potential effect of providing monetary incentives to
21 those officers for that purpose;

22 (2) the extent to which the Department of De-
23 fense has developed simplified and standardized pro-
24 cedures and model contracts throughout the agency
25 for Phase I, Phase II, and Phase III SBIR awards,

1 as required under section 9(hh)(2)(A)(i) of the
2 Small Business Act (15 U.S.C. 638(hh)(2)(A)(i));

3 (3) with respect to each report submitted under
4 this section after the submission of the first such re-
5 port, the extent to which any incentives described in
6 this section and implemented by the Secretary have
7 resulted in an increased number of Phase II con-
8 tracts under the SBIR program of the Department
9 of Defense leading to technology transition into pro-
10 grams of record or fielded systems;

11 (4) the extent to which Phase I, Phase II, and
12 Phase III projects under the SBIR program of the
13 Department of Defense align with the modernization
14 priorities of the Department, including with respect
15 to artificial intelligence, biotechnology, autonomy,
16 cybersecurity, directed energy, fully networked com-
17 mand, control, and communication systems, micro-
18 electronics, quantum science, hypersonics, and space;
19 and

20 (5) any other action taken, and proposed to be
21 taken, to increase the number of Department of De-
22 fense Phase II SBIR contracts leading to technology
23 transition into programs of record or fielded sys-
24 tems.

1 **SEC. 5877. SMALL BUSINESS LOANS FOR NONPROFIT CHILD**
2 **CARE PROVIDERS.**

3 Section 3(a) of the Small Business Act (15 U.S.C.
4 632(a)) is amended by adding at the end the following:

5 “(10) NONPROFIT CHILD CARE PROVIDERS.—

6 “(A) DEFINITION.—In this paragraph, the
7 term ‘covered nonprofit child care provider’
8 means an organization—

9 “(i) that—

10 “(I) is in compliance with licens-
11 ing requirements for child care pro-
12 viders of the State in which the orga-
13 nization is located;

14 “(II) is described in section
15 501(c)(3) of the Internal Revenue
16 Code of 1986 and exempt from tax
17 under section 501(a) of such Code;
18 and

19 “(III) is primarily engaged in
20 providing child care for children from
21 birth to compulsory school age;

22 “(ii) for which each employee and reg-
23 ular volunteer complies with the criminal
24 background check requirements under sec-
25 tion 658H(b) of the Child Care and Devel-

1 opment Block Grant Act of 1990 (42
2 U.S.C. 9858f(b)); and

3 “(iii) that may—

4 “(I) provide care for school-age
5 children outside of school hours or
6 outside of the school year; or

7 “(II) offer preschool or pre-
8 kindergarten educational programs.

9 “(B) ELIGIBILITY FOR LOAN PROGRAMS.—

10 Notwithstanding any other provision of this
11 subsection, a covered nonprofit child care pro-
12 vider shall be deemed to be a small business
13 concern for purposes of any program under this
14 Act or the Small Business Investment Act of
15 1958 (15 U.S.C. 661 et seq.) under which—

16 “(i) the Administrator may make
17 loans to small business concerns;

18 “(ii) the Administrator may guarantee
19 timely payment of loans to small business
20 concerns; or

21 “(iii) the recipient of a loan made or
22 guaranteed by the Administrator may
23 make loans to small business concerns.”.

1 **Subtitle G—Other Matters**

2 **SEC. 5891. LISTING OF OTHER TRANSACTION AUTHORITY**
3 **CONSORTIA.**

4 Beginning not later than 90 days after the date of
5 the enactment of this Act, the Secretary of Defense shall
6 maintain on the government-wide point of entry for con-
7 tracting opportunities, Beta.SAM.gov (or any successor
8 system), a list of the consortia used by the Department
9 of Defense to announce or otherwise make available con-
10 tracting opportunities using other transaction authority
11 (OTA).

12 **SEC. 5892. REPORT RECOMMENDING DISPOSITION OF**
13 **NOTES TO CERTAIN SECTIONS OF TITLE 10,**
14 **UNITED STATES CODE.**

15 (a) IN GENERAL.—Not later than March 31, 2021,
16 the Secretary of Defense shall submit to the congressional
17 defense committees a report recommending the disposition
18 of provisions of law found in the notes to the following
19 sections of title 10, United States Code:

20 (1) Section 2313.

21 (2) Section 2364.

22 (3) Section 2432.

23 (b) ELEMENTS.—The report required under sub-
24 section (a) shall include—

1 (1) for each provision of law included as a note
2 to a section listed in such subsection, a recommenda-
3 tion whether such provision—

4 (A) should be repealed because the provi-
5 sion is no longer operative or is otherwise obso-
6 lete;

7 (B) should be codified as a section to title
8 10, United States Code, because the section
9 has, and is anticipated to continue to have in
10 the future, significant relevance; or

11 (C) should remain as a note to such sec-
12 tion; and

13 (2) any legislative proposals appropriate to im-
14 prove the intent and effect of the sections listed in
15 such subsection.

16 (c) TECHNICAL CORRECTIONS.—(1) Section 2362(a)
17 of title 10, United States Code, is amended by striking
18 “Assistant Secretary of Defense for Research and Engi-
19 neering” both places it appears and inserting “Under Sec-
20 retary of Defense for Research and Engineering”.

21 (2) Section 804(c) of the Bob Stump National De-
22 fense Authorization Act for Fiscal Year 2003 (Public Law
23 107–314; 10 U.S.C. 2302 note) is amended by striking
24 “The Assistant Secretary of Defense for Command, Con-
25 trol, Communications, and Intelligence, in consultation

1 with the Under Secretary of Defense for Acquisition,
 2 Technology, and Logistics,” and inserting “The Under
 3 Secretary of Defense for Acquisition and Sustainment”.

4 **SEC. 5893. APPLICABILITY OF REPORTING REQUIREMENT**
 5 **RELATED TO NOTIONAL MILESTONES AND**
 6 **STANDARD TIMELINES FOR FOREIGN MILI-**
 7 **TARY SALES.**

8 Section 887 of the National Defense Authorization
 9 Act for Fiscal Year 2018 (Public Law 115 –91; 22 U.S.C.
 10 2761 note) is amended—

11 (1) by redesignating subsection (c) as sub-
 12 section (d); and

13 (2) by inserting after subsection (b) the fol-
 14 lowing new subsection:

15 “(c) APPLICABILITY.—The reporting requirements
 16 under this section apply only to foreign military sales proc-
 17 esses within the Department of Defense.”.

18 **SEC. 5894. ADDITIONAL REQUIREMENTS RELATED TO MITI-**
 19 **GATING RISKS RELATED TO FOREIGN OWN-**
 20 **ERSHIP, CONTROL, OR INFLUENCE OF DE-**
 21 **PARTMENT OF DEFENSE CONTRACTORS AND**
 22 **SUBCONTRACTORS.**

23 (a) COMPLIANCE ASSESSMENT.—Subparagraph (A)
 24 of paragraph (2) of section 847(b) of the National Defense
 25 Authorization Act for Fiscal Year 2020 (Public Law 116–

1 92) is amended by adding at the end the following new
2 clause:

3 “(v) A requirement for the Secretary to re-
4 quire reports and conduct examinations on a
5 periodic basis of covered contractors and sub-
6 contractors in order to assess compliance with
7 the requirements of this section.”.

8 (b) ADDITIONAL REQUIREMENTS FOR RESPONSI-
9 BILITY DETERMINATIONS.—Subparagraph (B) of such
10 paragraph is amended—

11 (1) in clause (ii), by striking “; and” and in-
12 serting a semicolon;

13 (2) by redesignating clause (iii) as clause (iv);
14 and

15 (3) by inserting after clause (ii) the following
16 new clause:

17 “(iii) procedures for appropriately re-
18 sponding to changes in contractor or sub-
19 contractor beneficial ownership status
20 based on changes in disclosures of their
21 beneficial ownership relating to whether
22 they are under FOCI and based on the re-
23 ports and examinations required by sub-
24 paragraph (A)(v); and”.

1 (c) TIMELINES AND MILESTONES FOR IMPLEMENTA-
2 TION.—

3 (1) IMPLEMENTATION PLAN.—Not later than
4 60 days after the date of the enactment of this Act,
5 the Secretary of Defense shall provide to the con-
6 gressional defense committees a plan and schedule
7 for implementation of the requirements of section
8 847 of the National Defense Authorization Act for
9 Fiscal Year 2020 (Public Law 116–92), including—

10 (A) a timeline for issuance of regulations,
11 development of training for appropriate offi-
12 cials, and development of systems for reporting
13 of beneficial ownership and FOCI by contrac-
14 tors and subcontractors;

15 (B) designation of officials and organiza-
16 tions responsible for execution; and

17 (C) interim milestones to be met in imple-
18 menting the plan.

19 (2) REVISION OF REGULATIONS, DIRECTIVES,
20 GUIDANCE, TRAINING, AND POLICIES.—Not later
21 than 180 days after the date of the enactment of
22 this Act, the Secretary of Defense shall revise rel-
23 evant directives, guidance, training, and policies, in-
24 cluding revising the Defense Federal Acquisition
25 Regulation Supplement as needed, to fully imple-

1 ment section 847 of the National Defense Authoriza-
2 tion Act for Fiscal Year 2020 (Public Law 116–92),
3 as amended by this section.

4 **TITLE LIX—DEPARTMENT OF DE-**
5 **FENSE ORGANIZATION AND**
6 **MANAGEMENT**

7 **Subtitle D—Organization and Man-**
8 **agement of Other Department of**
9 **Defense Offices and Elements**

10 **SEC. 5951. COMPTROLLER GENERAL OF THE UNITED**
11 **STATES REPORT ON VULNERABILITIES OF**
12 **THE DEPARTMENT OF DEFENSE RESULTING**
13 **FROM OFFSHORE TECHNICAL SUPPORT CALL**
14 **CENTERS.**

15 (a) **REPORT REQUIRED.**—Not later than 180 days
16 after the date of the enactment of this Act, the Comp-
17 troller General of the United States shall submit to the
18 Committees on Armed Services of the Senate and the
19 House of Representatives a report on vulnerabilities in
20 connection with the provision of services by offshore tech-
21 nical support call centers to the Department of Defense.

22 (b) **ELEMENTS.**—The report required by subsection
23 (a) shall include the following:

24 (1) A description and assessment of the location
25 of all offshore technical support call centers.

1 (2) A description and assessment of the types
2 of information shared by the Department with for-
3 eign nationals at offshore technical support call cen-
4 ters.

5 (3) An assessment of the extent to which access
6 to such information by foreign nationals creates
7 vulnerabilities to the information technology network
8 of the Department.

9 (c) OFFSHORE TECHNICAL SUPPORT CALL CENTER
10 DEFINED.—In this section, the term “offshore technical
11 support call center” means a call center that—

12 (1) is physically located outside the United
13 States;

14 (2) employs individuals who are foreign nation-
15 als; and

16 (3) may be contacted by personnel of the De-
17 partment to provide technical support relating to
18 technology used by the Department.

1 **TITLE LX—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—Financial Matters**

4 **SEC. 6001. UNDER SECRETARY OF DEFENSE (COMP-**
5 **TROLLER) REPORTS ON IMPROVING THE**
6 **BUDGET JUSTIFICATION AND RELATED MA-**
7 **TERIALS OF THE DEPARTMENT OF DEFENSE.**

8 (a) **REPORTS REQUIRED.**—Not later than April 1 of
9 each of 2021 through 2025, the Under Secretary of De-
10 fense (Comptroller) shall submit to the congressional de-
11 fense committees a report on improving the following:

12 (1) Modernization of covered materials, includ-
13 ing the following:

14 (A) Updating the format of such materials
15 in order to account for significant improve-
16 ments in document management and data vis-
17 ualization.

18 (B) Expanding the scope and quality of
19 data included in such materials.

20 (2) Streamlining of the production of covered
21 materials within the Department of Defense.

22 (3) Transmission of covered materials to Con-
23 gress.

24 (4) Availability of adequate resources and capa-
25 bilities to permit the Department to integrate

1 changes to covered materials together with its sub-
2 mittal of current covered materials.

3 (5) Promotion of the flow between the Depart-
4 ment and the congressional defense committees of
5 other information required by Congress for its over-
6 sight of budgeting for the Department and the fu-
7 ture-years defense programs.

8 (b) COVERED MATERIALS DEFINED.—In this sec-
9 tion, the term “covered materials” means the following:

10 (1) Materials submitted in support of the budg-
11 et of the President for a fiscal year under section
12 1105(a) of title 31, United States Code.

13 (2) Materials submitted in connection with the
14 future-years defense program for a fiscal year under
15 section 221 of title 10, United States Code.

16 **SEC. 6002. REPORT ON FISCAL YEAR 2022 BUDGET RE-**
17 **QUEST REQUIREMENTS IN CONNECTION**
18 **WITH AIR FORCE OPERATIONS IN THE ARC-**
19 **TIC.**

20 The Secretary of the Air Force shall submit to the
21 congressional defense committees, not later than 30 days
22 after submission of the budget justification documents
23 submitted to Congress in support of the budget of the
24 President for fiscal year 2022 (as submitted pursuant to

1 section 1105 of title 31, United States Code), a report
2 that includes the following:

3 (1) A description of the manner in which
4 amounts requested for the Air Force in the budget
5 for fiscal year 2022 support Air Force operations in
6 the Arctic.

7 (2) A list of the procurement initiatives and re-
8 search, development, test, and evaluation initiatives
9 funded by that budget that are primarily intended to
10 enhance the ability of the Air Force to deploy to or
11 operate in the Arctic region, or to defend the north-
12 ern approach to the United States homeland.

13 (3) An assessment of the adequacy of the infra-
14 structure of Air Force installations in Alaska and in
15 the States along the northern border of the conti-
16 nental United States to support deployments to and
17 operations in the Arctic region, including an assess-
18 ment of runways, fuel lines, and aircraft mainte-
19 nance capacity for purposes of such support.

20 **SEC. 6003. PROVIDING INFORMATION TO STATES REGARD-**
21 **ING UNDELIVERED SAVINGS BONDS.**

22 Section 3105 of title 31, United States Code, is
23 amended by adding at the end the following:

24 “(f)(1) Notwithstanding any other law to the con-
25 trary, the Secretary shall provide each State, as digital

1 or other electronically searchable forms become available
2 (including digital images), with sufficient information to
3 identify the registered owner of any applicable savings
4 bond with a registration address that is within such State,
5 including the serial number of the bond, the name and
6 registered address of such owner, and any registered bene-
7 ficiaries.

8 “(2) The Secretary shall prescribe such regulations
9 or other guidance as may be necessary to carry out the
10 purposes of this subsection, including rules to—

11 “(A) protect the privacy of the owners of appli-
12 cable savings bonds;

13 “(B) ensure that any information provided to a
14 State under this subsection shall be used solely to lo-
15 cate such owners and assist them in redeeming such
16 bonds with the United States Treasury; and

17 “(C) ensure that owners of applicable savings
18 bonds seeking to redeem such bonds with the United
19 States Treasury are able to do so in an expeditious
20 manner.

21 “(3) Not later than 12 months after the date of en-
22 actment of this subsection, and annually thereafter, the
23 Secretary shall submit to the Committee on Appropria-
24 tions and the Committee on Finance of the Senate a re-

1 port assessing all efforts to satisfy the requirement under
2 paragraph (1).

3 “(4) For purposes of this subsection, the term ‘appli-
4 cable savings bond’ means a matured and unredeemed
5 savings bond.”.

6 **Subtitle E—Miscellaneous**
7 **Authorities and Limitations**

8 **SEC. 6046. CONDITIONS FOR PERMANENTLY BASING**
9 **UNITED STATES EQUIPMENT OR ADDITIONAL**
10 **MILITARY UNITS IN HOST COUNTRIES WITH**
11 **AT-RISK VENDORS IN 5G OR 6G NETWORKS.**

12 (a) **INEFFECTIVENESS OF SECTION 1046.**—Section
13 1046 shall have no force or effect.

14 (b) **IN GENERAL.**—Prior to a decision for basing a
15 major weapon system or an additional military unit com-
16 parable to or larger than a battalion, squadron, or naval
17 combatant for permanent basing to a host nation with at-
18 risk 5th generation (5G) or sixth generation (6G) wireless
19 network equipment, software, and services, including the
20 use of telecommunications equipment, software, and serv-
21 ices provided by vendors such as Huawei and ZTE, where
22 United States military personnel and their families will be
23 directly connected or subscribers to networks that include
24 such at-risk equipment, software, and services in their of-
25 ficial duties or in the conduct of personal affairs, the Sec-

1 retary of Defense shall provide a certification to Congress
2 that includes—

3 (1) an acknowledgment by the host nation of
4 the risk posed by the network architecture;

5 (2) a description of steps being taken by the
6 host nation to mitigate any potential risks to the
7 weapon systems, military units, or personnel, and
8 the Department of Defense’s assessment of those ef-
9 forts;

10 (3) a description of steps being taken by the
11 United States Government to mitigate any potential
12 risks to the weapon systems, military units, or per-
13 sonnel; and

14 (4) a description of any defense mutual agree-
15 ments between the host nation and the United
16 States intended to allay the costs of risk mitigation
17 posed by the at-risk infrastructure.

18 (c) **APPLICABILITY.**—The conditions in subsection
19 (b) apply to the permanent long-term stationing of equip-
20 ment and personnel, and do not apply to short-term de-
21 ployments or rotational presence to military installations
22 outside the United States in connection with exercises, dy-
23 namic force employment, contingency operations, or com-
24 bat operations.

1 (d) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall submit to the congressional defense committees a re-
4 port that contains an assessment of—

5 (1) the risk to personnel, equipment, and oper-
6 ations of the Department of Defense in host coun-
7 tries posed by the current or intended use by such
8 countries of 5G or 6G telecommunications architec-
9 ture provided by at-risk vendors; and

10 (2) measures required to mitigate the risk de-
11 scribed in paragraph (1), including the merit and
12 feasibility of the relocation of certain personnel or
13 equipment of the Department to another location
14 without the presence of 5G or 6G telecommuni-
15 cations architecture provided by at-risk vendors.

16 (e) FORM.—The report required by subsection (c)
17 shall be submitted in a classified form with an unclassified
18 summary.

19 **SEC. 6047. ANTIDISCRIMINATION.**

20 (a) SHORT TITLE.—This section may be cited as the
21 “Elijah E. Cummings Federal Employee Antidiscrimina-
22 tion Act of 2020”.

23 (b) SENSE OF CONGRESS.—Section 102 of the Notifi-
24 cation and Federal Employee Antidiscrimination and Re-
25 taliation Act of 2002 (5 U.S.C. 2301 note) is amended—

1 (1) by striking paragraph (4) and inserting the
2 following:

3 “(4) accountability in the enforcement of the
4 rights of Federal employees is furthered when Fed-
5 eral agencies agree to take appropriate disciplinary
6 action against Federal employees who are found to
7 have intentionally committed discriminatory (includ-
8 ing retaliatory) acts;” and

9 (2) in paragraph (5)(A)—

10 (A) by striking “nor is accountability” and
11 inserting “accountability is not”; and

12 (B) by inserting “for what, by law, the
13 agency is responsible” after “under this Act”.

14 (c) NOTIFICATION OF VIOLATION.—Section 202 of
15 the Notification and Federal Employee Antidiscrimination
16 and Retaliation Act of 2002 (5 U.S.C. 2301 note) is
17 amended by adding at the end the following:

18 “(d) NOTIFICATION OF FINAL AGENCY ACTION.—

19 “(1) IN GENERAL.—Not later than 90 days
20 after the date on which an event described in para-
21 graph (2) occurs with respect to a finding of dis-
22 crimination (including retaliation), the head of the
23 Federal agency subject to the finding shall provide
24 notice—

1 “(A) on the public internet website of the
2 agency, in a clear and prominent location linked
3 directly from the home page of that website;

4 “(B) stating that a finding of discrimina-
5 tion (including retaliation) has been made; and

6 “(C) which shall remain posted for not less
7 than 1 year.

8 “(2) EVENTS DESCRIBED.—An event described
9 in this paragraph is any of the following:

10 “(A) All appeals of a final action by a Fed-
11 eral agency involving a finding of discrimination
12 (including retaliation) prohibited by a provision
13 of law covered by paragraph (1) or (2) of sec-
14 tion 201(a) have been exhausted.

15 “(B) All appeals of a final decision by the
16 Equal Employment Opportunity Commission
17 involving a finding of discrimination (including
18 if the finding included a finding of retaliation)
19 prohibited by a provision of law covered by
20 paragraph (1) or (2) of section 201(a) have
21 been exhausted.

22 “(C) A court of jurisdiction issues a final
23 judgment involving a finding of discrimination
24 (including retaliation) prohibited by a provision

1 of law covered by paragraph (1) or (2) of sec-
2 tion 201(a).

3 “(3) CONTENTS.—A notification provided under
4 paragraph (1) with respect to a finding of discrimi-
5 nation (including retaliation) shall—

6 “(A) identify the date on which the finding
7 was made, the date on which each discrimina-
8 tory act occurred, and the law violated by each
9 such discriminatory act; and

10 “(B) advise Federal employees of the
11 rights and protections available under the provi-
12 sions of law covered by paragraphs (1) and (2)
13 of section 201(a).”.

14 (d) REPORTING REQUIREMENTS.—

15 (1) ELECTRONIC FORMAT REQUIREMENT.—

16 (A) IN GENERAL.—Section 203(a) of the
17 Notification and Federal Employee Anti-
18 discrimination and Retaliation Act of 2002 (5
19 U.S.C. 2301 note) is amended, in the matter
20 preceding paragraph (1)—

21 (i) by inserting “Homeland Security
22 and” before “Governmental Affairs”;

23 (ii) by striking “on Government Re-
24 form” and inserting “on Oversight and Re-
25 form”;

1 (iii) by inserting “any Member of
2 Congress (upon request to the agency),”
3 before “the Equal Employment Oppor-
4 tunity Commission”; and

5 (iv) by inserting “(in an electronic for-
6 mat prescribed by the Director of the Of-
7 fice of Personnel Management),” after “an
8 annual report”.

9 (B) EFFECTIVE DATE.—The amendment
10 made by subparagraph (A)(iii) shall take effect
11 on the date that is 1 year after the date of en-
12 actment of this Act.

13 (C) TRANSITION PERIOD.—Notwith-
14 standing the requirements of section 203(a) of
15 the Notification and Federal Employee Anti-
16 discrimination and Retaliation Act of 2002 (5
17 U.S.C. 2301 note), the report required under
18 such section 203(a) may be submitted in an
19 electronic format, as prescribed by the Director
20 of the Office of Personnel Management, during
21 the period beginning on the date of enactment
22 of this Act and ending on the effective date in
23 subparagraph (B).

24 (2) REPORTING REQUIREMENT FOR DISCIPLI-
25 NARY ACTION.—Section 203 of the Notification and

1 Federal Employee Antidiscrimination and Retalia-
2 tion Act of 2002 (5 U.S.C. 2301 note) is amended
3 by adding at the end the following:

4 “(c) DISCIPLINARY ACTION REPORT.—Not later
5 than 120 days after the date on which a Federal agency
6 takes final action, or a Federal agency receives a final de-
7 cision issued by the Equal Employment Opportunity Com-
8 mission, involving a finding of discrimination (including
9 retaliation) in violation of a provision of law covered by
10 paragraph (1) or (2) of section 201(a), as applicable, the
11 applicable Federal agency shall submit to the Commission
12 a report stating—

13 “(1) whether disciplinary action has been pro-
14 posed against a Federal employee as a result of the
15 violation; and

16 “(2) the reasons for any disciplinary action pro-
17 posed under paragraph (1).”.

18 (e) DATA TO BE POSTED BY EMPLOYING FEDERAL
19 AGENCIES.—Section 301(b) of the Notification and Fed-
20 eral Employee Antidiscrimination and Retaliation Act of
21 2002 (5 U.S.C. 2301 note) is amended—

22 (1) in paragraph (9)—

23 (A) in subparagraph (A), by striking
24 “and” at the end;

1 (B) in subparagraph (B)(ii), by striking
2 the period at the end and inserting “, and”;
3 and

4 (C) by adding at the end the following:

5 “(C) with respect to each finding described
6 in subparagraph (A)—

7 “(i) the date of the finding,

8 “(ii) the affected Federal agency,

9 “(iii) the law violated, and

10 “(iv) whether a decision has been
11 made regarding disciplinary action as a re-
12 sult of the finding.”; and

13 (2) by adding at the end the following:

14 “(11) Data regarding each class action com-
15 plaint filed against the agency alleging discrimina-
16 tion (including retaliation), including—

17 “(A) information regarding the date on
18 which each complaint was filed,

19 “(B) a general summary of the allegations
20 alleged in the complaint,

21 “(C) an estimate of the total number of
22 plaintiffs joined in the complaint, if known,

23 “(D) the current status of the complaint,
24 including whether the class has been certified,
25 and

1 “(E) the case numbers for the civil actions
2 in which discrimination (including retaliation)
3 has been found.”.

4 (f) DATA TO BE POSTED BY THE EQUAL EMPLOY-
5 MENT OPPORTUNITY COMMISSION.—Section 302(b) of the
6 Notification and Federal Employee Antidiscrimination
7 and Retaliation Act of 2002 (5 U.S.C. 2301 note) is
8 amended by striking “(10)” and inserting “(11)”.

9 (g) NOTIFICATION AND FEDERAL EMPLOYEE ANTI-
10 DISCRIMINATION AND RETALIATION ACT OF 2002
11 AMENDMENTS.—

12 (1) NOTIFICATION REQUIREMENTS.—Title II of
13 the Notification and Federal Employee Antidiscrimi-
14 nation and Retaliation Act of 2002 (5 U.S.C. 2301
15 note) is amended by adding at the end the following:
16 **“SEC. 207. COMPLAINT TRACKING.**

17 “Not later than 1 year after the date of enactment
18 of the Elijah E. Cummings Federal Employee Anti-
19 discrimination Act of 2019, each Federal agency shall es-
20 tablish a system to track each complaint of discrimination
21 arising under section 2302(b)(1) of title 5, United States
22 Code, and adjudicated through the Equal Employment
23 Opportunity process from the filing of a complaint with
24 the Federal agency to resolution of the complaint, includ-

1 ing whether a decision has been made regarding discipli-
 2 nary action as the result of a finding of discrimination.

3 **“SEC. 208. NOTATION IN PERSONNEL RECORD.**

4 “If a Federal agency takes an adverse action covered
 5 under section 7512 of title 5, United States Code, against
 6 a Federal employee for an act of discrimination (including
 7 retaliation) prohibited by a provision of law covered by
 8 paragraph (1) or (2) of section 201(a), the agency shall,
 9 after all appeals relating to that action have been ex-
 10 hausted, include a notation of the adverse action and the
 11 reason for the action in the personnel record of the em-
 12 ployee.”.

13 (2) PROCESSING AND REFERRAL.—The Notifi-
 14 cation and Federal Employee Antidiscrimination and
 15 Retaliation Act of 2002 (5 U.S.C. 2301 note) is
 16 amended by adding at the end the following:

17 **“TITLE IV—PROCESSING AND**
 18 **REFERRAL**

19 **“SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.**

20 “Each Federal agency shall—

21 “(1) be responsible for the fair and impartial
 22 processing and resolution of complaints of employ-
 23 ment discrimination (including retaliation) prohib-
 24 ited by a provision of law covered by paragraph (1)
 25 or (2) of section 201(a); and

1 “(2) establish a model Equal Employment Op-
2 portunity Program that—

3 “(A) is not under the control, either struc-
4 turally or practically, of the agency’s Office of
5 Human Capital or Office of the General Coun-
6 sel (or the equivalent);

7 “(B) is devoid of internal conflicts of inter-
8 est and ensures fairness and inclusiveness with-
9 in the agency; and

10 “(C) ensures the efficient and fair resolu-
11 tion of complaints alleging discrimination (in-
12 cluding retaliation).

13 **“SEC. 402. NO LIMITATION ON ADVICE OR COUNSEL.**

14 “Nothing in this title shall prevent a Federal agency
15 or a subcomponent of a Federal agency, or the Depart-
16 ment of Justice, from providing advice or counsel to em-
17 ployees of that agency (or subcomponent, as applicable)
18 in the resolution of a complaint.

19 **“SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF**
20 **AGENCY.**

21 “‘The head of each Federal agency’s Equal Employ-
22 ment Opportunity Program shall report directly to the
23 head of the agency.

24 **“SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.**

25 “(a) EEOC FINDINGS OF DISCRIMINATION.—

1 “(1) IN GENERAL.—Not later than 30 days
2 after the date on which the Equal Employment Op-
3 portunity Commission (referred to in this section as
4 the ‘Commission’) receives, or should have received,
5 a Federal agency report required under section
6 203(c), the Commission may refer the matter to
7 which the report relates to the Office of Special
8 Counsel if the Commission determines that the Fed-
9 eral agency did not take appropriate action with re-
10 spect to the finding that is the subject of the report.

11 “(2) NOTIFICATIONS.—The Commission shall—

12 “(A) notify the applicable Federal agency
13 if the Commission refers a matter to the Office
14 of Special Counsel under paragraph (1); and

15 “(B) with respect to a fiscal year, include
16 in the Annual Report of the Federal Workforce
17 of the Commission covering that fiscal year—

18 “(i) the number of referrals made
19 under paragraph (1) during that fiscal
20 year; and

21 “(ii) a brief summary of each referral
22 described in clause (i).

23 “(b) REFERRALS TO SPECIAL COUNSEL.—The Office
24 of Special Counsel shall accept and review a referral from
25 the Commission under subsection (a)(1) for purposes of

1 pursuing disciplinary action under the authority of the Of-
2 fice against a Federal employee who commits an act of
3 discrimination (including retaliation).

4 “(c) NOTIFICATION.—The Office of Special Counsel
5 shall notify the Commission and the applicable Federal
6 agency in a case in which—

7 “(1) the Office of Special Counsel pursues dis-
8 ciplinary action under subsection (b); and

9 “(2) the Federal agency imposes some form of
10 disciplinary action against a Federal employee who
11 commits an act of discrimination (including retalia-
12 tion).

13 “(d) SPECIAL COUNSEL APPROVAL.—A Federal
14 agency may not take disciplinary action against a Federal
15 employee for an alleged act of discrimination (including
16 retaliation) referred by the Commission under this section,
17 except in accordance with the requirements of section
18 1214(f) of title 5, United States Code.”

19 (3) CONFORMING AMENDMENTS.—The table of
20 contents in section 1(b) of the Notification and Fed-
21 eral Employee Antidiscrimination and Retaliation
22 Act of 2002 (5 U.S.C. 2301 note) is amended—

23 (A) by inserting after the item relating to
24 section 206 the following:

“Sec. 207. Complaint tracking.

“Sec. 208. Notation in personnel record.”; and

1 (B) by adding at the end the following:

“TITLE IV—PROCESSING AND REFERRAL

“Sec. 401. Processing and resolution of complaints.

“Sec. 402. No limitation on advice or counsel.

“Sec. 403. Head of Program supervised by head of agency.

“Sec. 404. Referrals of findings of discrimination.”.

2 (h) NONDISCLOSURE AGREEMENT LIMITATION.—

3 Section 2302(b)(13) of title 5, United States Code, is
4 amended—

5 (1) by striking “agreement does not” and in-
6 serting the following: “agreement—

7 “(A) does not”;

8 (2) in subparagraph (A), as so designated, by
9 inserting “or the Office of Special Counsel” after
10 “Inspector General”; and

11 (3) by adding at the end the following:

12 “(B) prohibits or restricts an employee or
13 applicant for employment from disclosing to
14 Congress, the Special Counsel, the Inspector
15 General of an agency, or any other agency com-
16 ponent responsible for internal investigation or
17 review any information that relates to any viola-
18 tion of any law, rule, or regulation, or mis-
19 management, a gross waste of funds, an abuse
20 of authority, or a substantial and specific dan-
21 ger to public health or safety, or any other
22 whistleblower protection; or”.

1 **Subtitle F—Studies and Reports**

2 **SEC. 6061. MARITIME SECURITY AND DOMAIN AWARENESS.**

3 (a) PROGRESS REPORT ON MARITIME SECURITY.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Defense, in coordination with the Secretary
7 of State, the Secretary of the Department in which
8 the Coast Guard is operating, and the heads of other
9 appropriate Federal agencies, shall submit to the
10 congressional defense committees a report on the
11 steps taken since December 20, 2019, to make fur-
12 ther use of the following mechanisms to combat IUU
13 fishing:

14 (A) Inclusion of counter-IUU fishing in ex-
15 isting shiprider agreements to which the United
16 States is a party.

17 (B) Entry into shiprider agreements that
18 include counter-IUU fishing with priority flag
19 states and countries in priority regions with
20 which the United States does not already have
21 such agreements.

22 (C) Inclusion of counter-IUU fishing in the
23 mission of the Combined Maritime Forces.

24 (D) Inclusion of counter-IUU fishing exer-
25 cises in the annual at-sea exercises conducted

1 by the Department of Defense, in coordination
2 with the United States Coast Guard.

3 (E) Development of partnerships similar to
4 the Oceania Maritime Security Initiative and
5 the Africa Maritime Law Enforcement Partner-
6 ship in other priority regions.

7 (2) ELEMENT.—The report required by para-
8 graph (1) shall include a description of specific steps
9 taken by the Secretary of the Navy with respect to
10 each mechanism described in paragraph (1), includ-
11 ing a detailed description of any security cooperation
12 engagement undertaken to combat IUU fishing by
13 such mechanisms and resulting coordination between
14 the Department of the Navy and the Coast Guard.

15 (b) ASSESSMENT OF SERVICE COORDINATION ON
16 MARITIME DOMAIN AWARENESS.—

17 (1) IN GENERAL.—Not later than 90 days after
18 the date of the enactment of this Act, the Secretary
19 of the Navy shall enter into an agreement with the
20 Secretary of the department in which the Coast
21 Guard is operating, in consultation with the Sec-
22 retary of Commerce, to assess the available commer-
23 cial solutions for collecting, sharing, and dissemi-
24 nating among United States maritime services and
25 partner countries maritime domain awareness infor-

1 mation relating to illegal maritime activities, includ-
2 ing IUU fishing.

3 (2) ELEMENTS.—The assessment carried out
4 pursuant to an agreement under paragraph (1)
5 shall—

6 (A) build on the ongoing Coast Guard as-
7 sessment related to autonomous vehicles;

8 (B) consider appropriate commercially and
9 academically available technological solutions;
10 and

11 (C) consider any limitation related to af-
12 fordability, exportability, maintenance, and
13 sustainment requirements and any other factor
14 that may constrain the suitability of such solu-
15 tions for use in a joint and combined environ-
16 ment, including the potential provision of such
17 solutions to one or more partner countries.

18 (3) SUBMITTAL TO CONGRESS.—Not later than
19 one year after entering into an agreement under
20 paragraph (1), the Secretary of the Navy shall sub-
21 mit to the Committee on Armed Services, the Com-
22 mittee on Commerce, Science, and Transportation,
23 and the Committee on Appropriations of the Senate
24 and the Committee on Armed Services, the Com-
25 mittee on Natural Resources, the Committee on

1 Transportation and Infrastructure, and the Com-
2 mittee on Appropriations of the House of Represent-
3 atives the assessment prepared in accordance with
4 the agreement.

5 (c) REPORT ON USE OF FISHING FLEETS BY FOR-
6 EIGN GOVERNMENTS.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Di-
9 rector of the Office of Naval Intelligence shall sub-
10 mit to the Committee on Armed Services, the Com-
11 mittee on Commerce, Science, and Transportation,
12 and the Committee on Appropriations of the Senate
13 and the Committee on Armed Services, the Com-
14 mittee on Natural Resources, the Committee on
15 Transportation and Infrastructure, and the Com-
16 mittee on Appropriations of the House of Represent-
17 atives a report on the use by governments of foreign
18 countries of distant-water fishing fleets as extensions
19 of the official maritime security forces of such coun-
20 tries.

21 (2) ELEMENT.—The report required by para-
22 graph (1) shall include the following:

23 (A) An analysis of the manner in which
24 fishing fleets are leveraged in support of the

1 naval operations and policies of foreign coun-
2 tries more generally.

3 (B) A consideration of—

4 (i) threats posed, on a country-by-
5 country basis, to the fishing vessels and
6 other vessels of the United States and
7 partner countries;

8 (ii) risks to Navy and Coast Guard
9 operations of the United States, and the
10 naval and coast guard operations of part-
11 ner countries; and

12 (iii) the broader challenge to the inter-
13 ests of the United States and partner
14 countries.

15 (3) FORM.—The report required by paragraph
16 (1) shall be in unclassified form, but may include a
17 classified annex.

18 (d) DEFINITIONS.—In this section, any term that is
19 also used in the Maritime SAFE Act (Public Law 116–
20 92) shall have the meaning given such term in that Act.

21 **SEC. 6062. REPORT ON PANDEMIC PREPAREDNESS AND**
22 **PLANNING OF THE NAVY.**

23 Not later than 120 days after the date of the enact-
24 ment of this Act, the Secretary of the Navy shall submit
25 to the congressional defense committees a report con-

1 taining a description of the plans of the Navy to prepare
2 for and respond to future pandemics, including future out-
3 breaks of the Coronavirus Disease 2019 (COVID–19).
4 The report shall include a written description of plans, in-
5 cluding any necessary corresponding budgetary actions,
6 for the following:

7 (1) Efforts to prevent and mitigate the impacts
8 of future pandemics at both private and public ship-
9 yards, and to protect the health and safety of both
10 military personnel and civilian workers at such ship-
11 yards.

12 (2) Protocol and mitigation strategies once an
13 outbreak of a highly contagious illness occurs aboard
14 a Navy vessel while underway.

15 (3) Development and adoption of technologies
16 and protocols to prevent and mitigate the spread of
17 future pandemics aboard Navy ships and among
18 Navy personnel, including technologies and protocols
19 in connection with the following:

20 (A) Artificial intelligence and data-driven
21 infectious disease modeling and interventions.

22 (B) Shipboard airflow management and
23 disinfectant technologies.

24 (C) Personal protective equipment, sen-
25 sors, and diagnostic systems.

1 (D) Minimally crewed and autonomous
2 supply vehicles.

3 **SEC. 6063. STUDY AND REPORT ON THE AFFORDABILITY OF**
4 **INSULIN.**

5 The Secretary of Health and Human Services, acting
6 through the Assistant Secretary for Planning and Evalua-
7 tion, shall—

8 (1) conduct a study that examines, for each
9 type or classification of diabetes (including type 1
10 diabetes, type 2 diabetes, gestational diabetes, and
11 other conditions causing reliance on insulin), the ef-
12 fect of the affordability of insulin on—

13 (A) adherence to insulin prescriptions;

14 (B) rates of diabetic ketoacidosis;

15 (C) downstream impacts of insulin adher-
16 ence, including rates of dialysis treatment and
17 end-stage renal disease;

18 (D) spending by Federal health programs
19 on acute episodes that could have been averted
20 by adhering to an insulin prescription; and

21 (E) other factors, as appropriate, to under-
22 stand the impacts of insulin affordability on
23 health outcomes, Federal Government spending
24 (including under the Medicare program under
25 title XVIII of the Social Security Act (42

1 U.S.C. 1395 et seq.) and the Medicaid program
 2 under title XIX of the Social Security Act (42
 3 U.S.C. 1396 et seq.), and insured and unin-
 4 sured individuals with diabetes; and

5 (2) not later than 2 years after the date of en-
 6 actment of this Act, submit to Congress a report on
 7 the study conducted under paragraph (1).

8 **Subtitle G—Other Matters**

9 **SEC. 6081. MODIFICATION TO FIRST DIVISION MONUMENT.**

10 (a) **AUTHORIZATION.**—The Society of the First In-
 11 fantry Division may make modifications to the First Divi-
 12 sion Monument located on Federal land in President’s
 13 Park in the District of Columbia to honor the dead of the
 14 First Infantry Division, United States Forces, in—

- 15 (1) Operation Desert Storm;
 16 (2) Operation Iraqi Freedom and New Dawn;
 17 and
 18 (3) Operation Enduring Freedom.

19 (b) **MODIFICATIONS.**—Modifications to the First Di-
 20 vision Monument may include construction of additional
 21 plaques and stone plinths on which to put plaques.

22 (c) **APPLICABILITY OF COMMEMORATIVE WORKS**
 23 **ACT.**—Chapter 89 of title 40, United States Code (com-
 24 monly known as the “Commemorative Works Act”), shall
 25 apply to the design and placement of the commemorative

1 elements authorized by this section, except that sub-
2 sections (b) and (c) of section 8903 shall not apply.

3 (d) COLLABORATION.—The First Infantry Division
4 of the Department of the Army shall collaborate with the
5 Secretary of Defense to provide to the Society of the First
6 Infantry Division the list of names to be added to the First
7 Division Monument in accordance with subsection (a).

8 (e) FUNDING.—Federal funds may not be used for
9 modifications of the First Division Monument authorized
10 by this section.

11 **SEC. 6082. ESTIMATE OF DAMAGES FROM FEDERAL COM-**
12 **MUNICATIONS COMMISSION ORDER 20-48.**

13 Section 1083 is deemed to include at the end the fol-
14 lowing:

15 “(d) DISTRIBUTION OF ESTIMATE.—As soon as prac-
16 ticable after submitting an estimate as described in para-
17 graph (1) of subsection (a) and making the certification
18 described in paragraph (2) of such subsection, the Sec-
19 retary shall make such estimate available to any licensee
20 operating under the order and authorization described in
21 such subsection.

22 “(e) AUTHORITY OF SECRETARY OF DEFENSE TO
23 SEEK RECOVERY OF COSTS.—The Secretary of Defense
24 may work directly with any licensee (or any future as-
25 signee, successor, or purchaser) affected by the Order and

1 Authorization adopted by the Federal Communications
2 Commission on April 19, 2020 (FCC 20–48) to seek re-
3 covery of costs incurred by the Department of Defense as
4 a result of the effect of such order and authorization.

5 “(f) REIMBURSEMENT.—

6 “(1) IN GENERAL.—The Secretary shall estab-
7 lish and facilitate a process for any licensee (or any
8 future assignee, successor, or purchaser) subject to
9 the authorization and order described in subsection
10 (a) to provide reimbursement to the Department of
11 Defense, only to the extent provided in appropria-
12 tions Acts, for the covered costs and eligible reim-
13 bursable costs submitted and certified to the con-
14 gressional defense committees under such sub-
15 section.

16 “(2) USE OF FUNDS.—The Secretary shall use
17 any funds received under this subsection, to the ex-
18 tent and in such amounts as are provided in advance
19 in appropriations Acts, for covered costs described in
20 subsection (b) and the range of eligible reimbursable
21 costs identified under subsection (a)(1).

22 “(3) REPORT.—Not later than 90 days after
23 the date on which the Secretary establishes the proc-
24 ess required by paragraph (1), the Secretary shall

1 submit to the congressional defense committees a re-
 2 port on such process.

3 “(g) GOOD FAITH.—The execution of the responsibil-
 4 ities of this section by the Department of Defense shall
 5 be considered to be good faith actions pursuant to para-
 6 graph 104 of the Order and Authorization (FCC 20–48)
 7 described in subsection (a).”.

8 **SEC. 6083. DIESEL EMISSIONS REDUCTION.**

9 (a) REAUTHORIZATION OF DIESEL EMISSIONS RE-
 10 Duction PROGRAM.—Section 797(a) of the Energy Policy
 11 Act of 2005 (42 U.S.C. 16137(a)) is amended by striking
 12 “2016” and inserting “2024”.

13 (b) RECOGNIZING DIFFERENCES IN DIESEL VEHI-
 14 CLE, ENGINE, EQUIPMENT, AND FLEET USE.—

15 (1) NATIONAL GRANT, REBATE, AND LOAN PRO-
 16 GRAMS.—Section 792(c)(4)(D) of the Energy Policy
 17 Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended
 18 by inserting “, recognizing differences in typical ve-
 19 hicle, engine, equipment, and fleet use throughout
 20 the United States” before the semicolon.

21 (2) STATE GRANT, REBATE, AND LOAN PRO-
 22 GRAMS.—Section 793(b)(1) of the Energy Policy Act
 23 of 2005 (42 U.S.C. 16133(b)(1)) is amended—

24 (A) in subparagraph (B), by striking “;
 25 and” and inserting a semicolon; and

1 (B) by adding at the end the following:

2 “(D) the recognition, for purposes of im-
3 plementing this section, of differences in typical
4 vehicle, engine, equipment, and fleet use
5 throughout the United States, including ex-
6 pected useful life; and”.

7 (c) REALLOCATION OF UNUSED STATE FUNDS.—
8 Section 793(c)(2)(C) of the Energy Policy Act of 2005
9 (42 U.S.C. 16133(c)(2)(C)) is amended beginning in the
10 matter preceding clause (i) by striking “to each remain-
11 ing” and all that follows through “this paragraph” in
12 clause (ii) and inserting “to carry out section 792”.

13 **SEC. 6084. UTILIZING SIGNIFICANT EMISSIONS WITH INNO-**
14 **VATIVE TECHNOLOGIES.**

15 (a) SHORT TITLE.—This section may be cited as the
16 “Utilizing Significant Emissions with Innovative Tech-
17 nologies Act” or the “USE IT Act”.

18 (b) RESEARCH, INVESTIGATION, TRAINING, AND
19 OTHER ACTIVITIES.—Section 103 of the Clean Air Act
20 (42 U.S.C. 7403) is amended—

21 (1) in subsection (c)(3), in the first sentence of
22 the matter preceding subparagraph (A), by striking
23 “precursors” and inserting “precursors”; and

24 (2) in subsection (g)—

1 (A) by redesignating paragraphs (1)
2 through (4) as subparagraphs (A) through (D),
3 respectively, and indenting appropriately;

4 (B) in the undesignated matter following
5 subparagraph (D) (as so redesignated)—

6 (i) in the second sentence, by striking
7 “The Administrator” and inserting the fol-
8 lowing:

9 “(5) COORDINATION AND AVOIDANCE OF DU-
10 PPLICATION.—The Administrator”; and

11 (ii) in the first sentence, by striking
12 “Nothing” and inserting the following:

13 “(4) EFFECT OF SUBSECTION.—Nothing”;

14 (C) in the matter preceding subparagraph
15 (A) (as so redesignated)—

16 (i) in the third sentence, by striking
17 “Such program” and inserting the fol-
18 lowing:

19 “(3) PROGRAM INCLUSIONS.—The program
20 under this subsection”;

21 (ii) in the second sentence—

22 (I) by inserting “States, institu-
23 tions of higher education,” after “sci-
24 entists,”; and

1 (II) by striking “Such strategies
2 and technologies shall be developed”
3 and inserting the following:

4 “(2) PARTICIPATION REQUIREMENT.—Such
5 strategies and technologies described in paragraph
6 (1) shall be developed”; and

7 (iii) in the first sentence, by striking
8 “In carrying out” and inserting the fol-
9 lowing:

10 “(1) IN GENERAL.—In carrying out”; and

11 (D) by adding at the end the following:

12 “(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

13 “(A) IN GENERAL.—In carrying out para-
14 graph (3)(A) with respect to carbon dioxide, the
15 Administrator shall carry out the activities de-
16 scribed in each of subparagraphs (B), (C), (D),
17 and (E).

18 “(B) DIRECT AIR CAPTURE RESEARCH.—

19 “(i) DEFINITIONS.—In this subpara-
20 graph:

21 “(I) BOARD.—The term ‘Board’
22 means the Direct Air Capture Tech-
23 nology Advisory Board established by
24 clause (iii)(I).

1 “(II) DILUTE.—The term ‘dilute’
2 means a concentration of less than 1
3 percent by volume.

4 “(III) DIRECT AIR CAPTURE.—

5 “(aa) IN GENERAL.—The
6 term ‘direct air capture’, with re-
7 spect to a facility, technology, or
8 system, means that the facility,
9 technology, or system uses car-
10 bon capture equipment to cap-
11 ture carbon dioxide directly from
12 the air.

13 “(bb) EXCLUSION.—The
14 term ‘direct air capture’ does not
15 include any facility, technology,
16 or system that captures carbon
17 dioxide—

18 “(AA) that is delib-
19 erately released from a natu-
20 rally occurring subsurface
21 spring; or

22 “(BB) using natural
23 photosynthesis.

1 “(IV) INTELLECTUAL PROP-
2 ERTY.—The term ‘intellectual prop-
3 erty’ means—

4 “(aa) an invention that is
5 patentable under title 35, United
6 States Code; and

7 “(bb) any patent on an in-
8 vention described in item (aa).

9 “(ii) TECHNOLOGY PRIZES.—

10 “(I) IN GENERAL.—Not later
11 than 1 year after the date of enact-
12 ment of the USE IT Act, the Admin-
13 istrator, in consultation with the Sec-
14 retary of Energy, shall establish a
15 program to provide, and shall provide,
16 financial awards on a competitive
17 basis for direct air capture from
18 media in which the concentration of
19 carbon dioxide is dilute.

20 “(II) DUTIES.—In carrying out
21 this clause, the Administrator shall—

22 “(aa) subject to subclause
23 (III), develop specific require-
24 ments for—

1 “(AA) the competition
2 process; and

3 “(BB) the demonstra-
4 tion of performance of ap-
5 proved projects;

6 “(bb) offer financial awards
7 for a project designed—

8 “(AA) to the maximum
9 extent practicable, to cap-
10 ture more than 10,000 tons
11 of carbon dioxide per year;
12 and

13 “(BB) to operate in a
14 manner that would be com-
15 mercially viable in the fore-
16 seeable future (as deter-
17 mined by the Board); and

18 “(cc) to the maximum ex-
19 tent practicable, make financial
20 awards to geographically diverse
21 projects, including at least—

22 “(AA) 1 project in a
23 coastal State; and

24 “(BB) 1 project in a
25 rural State.

1 “(III) PUBLIC PARTICIPATION.—

2 In carrying out subclause (II)(aa), the
3 Administrator shall—

4 “(aa) provide notice of and,
5 for a period of not less than 60
6 days, an opportunity for public
7 comment on, any draft or pro-
8 posed version of the requirements
9 described in subclause (II)(aa);
10 and

11 “(bb) take into account pub-
12 lic comments received in devel-
13 oping the final version of those
14 requirements.

15 “(iii) DIRECT AIR CAPTURE TECH-
16 NOLOGY ADVISORY BOARD.—

17 “(I) ESTABLISHMENT.—There is
18 established an advisory board to be
19 known as the ‘Direct Air Capture
20 Technology Advisory Board’.

21 “(II) COMPOSITION.—The Board
22 shall be composed of 9 members ap-
23 pointed by the Administrator, who
24 shall provide expertise in—

25 “(aa) climate science;

1 “(bb) physics;
2 “(cc) chemistry;
3 “(dd) biology;
4 “(ee) engineering;
5 “(ff) economics;
6 “(gg) business management;

7 and

8 “(hh) such other disciplines
9 as the Administrator determines
10 to be necessary to achieve the
11 purposes of this subparagraph.

12 “(III) TERM; VACANCIES.—

13 “(aa) TERM.—A member of
14 the Board shall serve for a term
15 of 6 years.

16 “(bb) VACANCIES.—A va-
17 cancy on the Board—

18 “(AA) shall not affect
19 the powers of the Board;
20 and

21 “(BB) shall be filled in
22 the same manner as the
23 original appointment was
24 made.

1 “(IV) INITIAL MEETING.—Not
2 later than 30 days after the date on
3 which all members of the Board have
4 been appointed, the Board shall hold
5 the initial meeting of the Board.

6 “(V) MEETINGS.—The Board
7 shall meet at the call of the Chair-
8 person or on the request of the Ad-
9 ministrator.

10 “(VI) QUORUM.—A majority of
11 the members of the Board shall con-
12 stitute a quorum, but a lesser number
13 of members may hold hearings.

14 “(VII) CHAIRPERSON AND VICE
15 CHAIRPERSON.—The Board shall se-
16 lect a Chairperson and Vice Chair-
17 person from among the members of
18 the Board.

19 “(VIII) COMPENSATION.—Each
20 member of the Board may be com-
21 pensated at not to exceed the daily
22 equivalent of the annual rate of basic
23 pay in effect for a position at level V
24 of the Executive Schedule under sec-
25 tion 5316 of title 5, United States

1 Code, for each day during which the
2 member is engaged in the actual per-
3 formance of the duties of the Board.

4 “(IX) DUTIES.—The Board shall
5 advise the Administrator on carrying
6 out the duties of the Administrator
7 under this subparagraph.

8 “(X) FACA.—The Federal Advi-
9 sory Committee Act (5 U.S.C. App.)
10 shall apply to the Board.

11 “(iv) INTELLECTUAL PROPERTY.—

12 “(I) IN GENERAL.—As a condi-
13 tion of receiving a financial award
14 under this subparagraph, an applicant
15 shall agree to vest the intellectual
16 property of the applicant derived from
17 the technology in 1 or more entities
18 that are incorporated in the United
19 States.

20 “(II) RESERVATION OF LI-
21 CENSE.—The United States—

22 “(aa) may reserve a non-
23 exclusive, nontransferable, irrev-
24 ocable, paid-up license, to have
25 practiced for or on behalf of the

1 United States, in connection with
2 any intellectual property de-
3 scribed in subclause (I); but

4 “(bb) shall not, in the exer-
5 cise of a license reserved under
6 item (aa), publicly disclose pro-
7 prietary information relating to
8 the license.

9 “(III) TRANSFER OF TITLE.—

10 Title to any intellectual property de-
11 scribed in subclause (I) shall not be
12 transferred or passed, except to an
13 entity that is incorporated in the
14 United States, until the expiration of
15 the first patent obtained in connection
16 with the intellectual property.

17 “(v) AUTHORIZATION OF APPROPRIA-
18 TIONS.—

19 “(I) IN GENERAL.—Of the
20 amounts authorized to be appro-
21 priated for the Environmental Protec-
22 tion Agency, \$35,000,000 shall be
23 available to carry out this subpara-
24 graph, to remain available until ex-
25 pended.

1 “(II) REQUIREMENT.—Research
2 carried out using amounts made avail-
3 able under subclause (I) may not du-
4 plicate research funded by the Depart-
5 ment of Energy.

6 “(vi) TERMINATION OF AUTHORITY.—
7 The Board and all authority provided
8 under this subparagraph shall terminate
9 not later than 10 years after the date of
10 enactment of the USE IT Act.

11 “(C) CARBON DIOXIDE UTILIZATION RE-
12 SEARCH.—

13 “(i) DEFINITION OF CARBON DIOXIDE
14 UTILIZATION.—In this subparagraph, the
15 term ‘carbon dioxide utilization’ refers to
16 technologies or approaches that lead to the
17 use of carbon dioxide—

18 “(I) through the fixation of car-
19 bon dioxide through photosynthesis or
20 chemosynthesis, such as through the
21 growing of algae or bacteria;

22 “(II) through the chemical con-
23 version of carbon dioxide to a material
24 or chemical compound in which the
25 carbon dioxide is securely stored; or

1 “(III) through the use of carbon
2 dioxide for any other purpose for
3 which a commercial market exists, as
4 determined by the Administrator.

5 “(ii) PROGRAM.—The Administrator,
6 in consultation with the Secretary of En-
7 ergy, shall carry out a research and devel-
8 opment program for carbon dioxide utiliza-
9 tion to promote existing and new tech-
10 nologies that transform carbon dioxide
11 generated by industrial processes into a
12 product of commercial value, or as an
13 input to products of commercial value.

14 “(iii) TECHNICAL AND FINANCIAL AS-
15 SISTANCE.—Not later than 2 years after
16 the date of enactment of the USE IT Act,
17 in carrying out this subsection, the Admin-
18 istrator, in consultation with the Secretary
19 of Energy, shall support research and in-
20 frastructure activities relating to carbon
21 dioxide utilization by providing technical
22 assistance and financial assistance in ac-
23 cordance with clause (iv).

24 “(iv) ELIGIBILITY.—To be eligible to
25 receive technical assistance and financial

1 assistance under clause (iii), a carbon diox-
2 ide utilization project shall—

3 “(I) have access to an emissions
4 stream generated by a stationary
5 source within the United States that
6 is capable of supplying not less than
7 250 metric tons per day of carbon di-
8 oxide for research;

9 “(II) have access to adequate
10 space for a laboratory and equipment
11 for testing small-scale carbon dioxide
12 utilization technologies, with onsite
13 access to larger test bays for scale-up;
14 and

15 “(III) have existing partnerships
16 with institutions of higher education,
17 private companies, States, or other
18 government entities.

19 “(v) COORDINATION.—In supporting
20 carbon dioxide utilization projects under
21 this paragraph, the Administrator shall
22 consult with the Secretary of Energy, and,
23 as appropriate, with the head of any other
24 relevant Federal agency, States, the pri-
25 vate sector, and institutions of higher edu-

1 cation to develop methods and technologies
 2 to account for the carbon dioxide emissions
 3 avoided by the carbon dioxide utilization
 4 projects.

5 “(vi) AUTHORIZATION OF APPROPRIA-
 6 TIONS.—

7 “(I) IN GENERAL.—Of the
 8 amounts authorized to be appro-
 9 priated for the Environmental Protec-
 10 tion Agency, \$50,000,000 shall be
 11 available to carry out this subpara-
 12 graph, to remain available until ex-
 13 pended.

14 “(II) REQUIREMENT.—Research
 15 carried out using amounts made avail-
 16 able under subclause (I) may not du-
 17 plicate research funded by the Depart-
 18 ment of Energy.

19 “(D) DEEP SALINE FORMATION RE-
 20 PORT.—

21 “(i) DEFINITION OF DEEP SALINE
 22 FORMATION.—

23 “(I) IN GENERAL.—In this sub-
 24 paragraph, the term ‘deep saline for-
 25 mation’ means a formation of sub-

1 surface geographically extensive sedi-
2 mentary rock layers saturated with
3 waters or brines that have a high total
4 dissolved solids content and that are
5 below the depth where carbon dioxide
6 can exist in the formation as a super-
7 critical fluid.

8 “(II) CLARIFICATION.—In this
9 subparagraph, the term ‘deep saline
10 formation’ does not include oil and
11 gas reservoirs.

12 “(ii) REPORT.—In consultation with
13 the Secretary of Energy, and, as appro-
14 priate, with the head of any other relevant
15 Federal agency and relevant stakeholders,
16 not later than 1 year after the date of en-
17 actment of the USE IT Act, the Adminis-
18 trator shall prepare, submit to Congress,
19 and make publicly available a report that
20 includes—

21 “(I) a comprehensive identifica-
22 tion of potential risks and benefits to
23 project developers associated with in-
24 creased storage of carbon dioxide cap-
25 tured from stationary sources in deep

1 saline formations, using existing re-
 2 search;

3 “(II) recommendations, if any,
 4 for managing the potential risks iden-
 5 tified under subclause (I), including
 6 potential risks unique to public land;
 7 and

8 “(III) recommendations, if any,
 9 for Federal legislation or other policy
 10 changes to mitigate any potential
 11 risks identified under subclause (I).

12 “(E) REPORT ON CARBON DIOXIDE NON-
 13 REGULATORY STRATEGIES AND TECH-
 14 NOLOGIES.—

15 “(i) IN GENERAL.—Not less fre-
 16 quently than once every 2 years, the Ad-
 17 ministrator shall submit to the Committee
 18 on Environment and Public Works of the
 19 Senate and the Committee on Energy and
 20 Commerce of the House of Representatives
 21 a report that describes—

22 “(I) the recipients of assistance
 23 under subparagraphs (B) and (C);
 24 and

1 “(II) a plan for supporting addi-
2 tional nonregulatory strategies and
3 technologies that could significantly
4 prevent carbon dioxide emissions or
5 reduce carbon dioxide levels in the air,
6 in conjunction with other Federal
7 agencies.

8 “(ii) INCLUSIONS.—The plan sub-
9 mitted under clause (i) shall include—

10 “(I) a methodology for evaluating
11 and ranking technologies based on the
12 ability of the technologies to cost ef-
13 fectively reduce carbon dioxide emis-
14 sions or carbon dioxide levels in the
15 air; and

16 “(II) a description of any nonair-
17 related environmental or energy con-
18 siderations regarding the technologies.

19 “(F) GAO REPORT.—The Comptroller
20 General of the United States shall submit to
21 Congress a report that—

22 “(i) identifies all Federal grant pro-
23 grams in which a purpose of a grant under
24 the program is to perform research on car-
25 bon capture and utilization technologies,

1 including direct air capture technologies;
2 and

3 “(ii) examines the extent to which the
4 Federal grant programs identified pursu-
5 ant to clause (i) overlap or are duplica-
6 tive.”.

7 (c) REPORT.—Not later than 1 year after the date
8 of enactment of this Act, the Administrator of the Envi-
9 ronmental Protection Agency (referred to in this section
10 as the “Administrator”) shall submit to Congress a report
11 describing how funds appropriated to the Administrator
12 during the 5 most recent fiscal years have been used to
13 carry out section 103 of the Clean Air Act (42 U.S.C.
14 7403), including a description of—

15 (1) the amount of funds used to carry out spe-
16 cific provisions of that section; and

17 (2) the practices used by the Administrator to
18 differentiate funding used to carry out that section,
19 as compared to funding used to carry out other pro-
20 visions of law.

21 (d) INCLUSION OF CARBON CAPTURE INFRASTRUC-
22 TURE PROJECTS.—Section 41001(6) of the FAST Act (42
23 U.S.C. 4370m(6)) is amended—

24 (1) in subparagraph (A)—

1 (A) in the matter preceding clause (i), by
2 inserting “carbon capture,” after “manufac-
3 turing,”;

4 (B) in clause (i)(III), by striking “or” at
5 the end;

6 (C) by redesignating clause (ii) as clause
7 (iii); and

8 (D) by inserting after clause (i) the fol-
9 lowing:

10 “(ii) is covered by a programmatic
11 plan or environmental review developed for
12 the primary purpose of facilitating develop-
13 ment of carbon dioxide pipelines; or”; and
14 (2) by adding at the end the following:

15 “(C) INCLUSION.—For purposes of sub-
16 paragraph (A), construction of infrastructure
17 for carbon capture includes construction of—

18 “(i) any facility, technology, or system
19 that captures, utilizes, or sequesters car-
20 bon dioxide emissions, including projects
21 for direct air capture (as defined in para-
22 graph (6)(B)(i) of section 103(g) of the
23 Clean Air Act (42 U.S.C. 7403(g)); and

24 “(ii) carbon dioxide pipelines.”.

1 (e) DEVELOPMENT OF CARBON CAPTURE, UTILIZA-
2 TION, AND SEQUESTRATION REPORT, PERMITTING GUID-
3 ANCE, AND REGIONAL PERMITTING TASK FORCE.—

4 (1) DEFINITIONS.—In this subsection:

5 (A) CARBON CAPTURE, UTILIZATION, AND
6 SEQUESTRATION PROJECTS.—The term “carbon
7 capture, utilization, and sequestration projects”
8 includes projects for direct air capture (as de-
9 fined in paragraph (6)(B)(i) of section 103(g)
10 of the Clean Air Act (42 U.S.C. 7403(g))).

11 (B) EFFICIENT, ORDERLY, AND RESPON-
12 SIBLE.—The term “efficient, orderly, and re-
13 sponsible” means, with respect to development
14 or the permitting process for carbon capture,
15 utilization, and sequestration projects and car-
16 bon dioxide pipelines, a process that is com-
17 pleted in an expeditious manner while maintain-
18 ing environmental, health, and safety protec-
19 tions.

20 (2) REPORT.—

21 (A) IN GENERAL.—Not later than 180
22 days after the date of enactment of this Act,
23 the Chair of the Council on Environmental
24 Quality (referred to in this section as the
25 “Chair”), in consultation with the Adminis-

1 trator of the Environmental Protection Agency,
2 the Secretary of Energy, the Secretary of the
3 Interior, the Executive Director of the Federal
4 Permitting Improvement Council, and the head
5 of any other relevant Federal agency (as deter-
6 mined by the President), shall prepare a report
7 that—

8 (i) compiles all existing relevant Fed-
9 eral permitting and review information and
10 resources for project applicants, agencies,
11 and other stakeholders interested in the
12 deployment of carbon capture, utilization,
13 and sequestration projects and carbon di-
14 oxide pipelines, including—

15 (I) the appropriate points of
16 interaction with Federal agencies;

17 (II) clarification of the permit-
18 ting responsibilities and authorities
19 among Federal agencies; and

20 (III) best practices and templates
21 for permitting;

22 (ii) inventories current or emerging
23 activities that transform captured carbon
24 dioxide into a product of commercial value,

1 or as an input to products of commercial
2 value;

3 (iii) inventories existing initiatives and
4 recent publications that analyze or identify
5 priority carbon dioxide pipelines needed to
6 enable efficient, orderly, and responsible
7 development of carbon capture, utilization,
8 and sequestration projects at increased
9 scale;

10 (iv) identifies gaps in the current Fed-
11 eral regulatory framework for the deploy-
12 ment of carbon capture, utilization, and se-
13 questration projects and carbon dioxide
14 pipelines; and

15 (v) identifies Federal financing mech-
16 anisms available to project developers.

17 (B) SUBMISSION; PUBLICATION.—The
18 Chair shall—

19 (i) submit the report under subpara-
20 graph (A) to the Committee on Environ-
21 ment and Public Works of the Senate and
22 the Committee on Energy and Commerce
23 of the House of Representatives; and

24 (ii) as soon as practicable, make the
25 report publicly available.

1 (3) GUIDANCE.—

2 (A) IN GENERAL.—After submission of the
3 report under paragraph (2)(B), but not later
4 than 1 year after the date of enactment of this
5 Act, the Chair shall submit guidance consistent
6 with that report to all relevant Federal agencies
7 that—

8 (i) facilitates reviews associated with
9 the deployment of carbon capture, utiliza-
10 tion, and sequestration projects and carbon
11 dioxide pipelines; and

12 (ii) supports the efficient, orderly, and
13 responsible development of carbon capture,
14 utilization, and sequestration projects and
15 carbon dioxide pipelines.

16 (B) REQUIREMENTS.—

17 (i) IN GENERAL.—The guidance under
18 subparagraph (A) shall address require-
19 ments under—

20 (I) the National Environmental
21 Policy Act of 1969 (42 U.S.C. 4321
22 et seq.);

23 (II) the Federal Water Pollution
24 Control Act (33 U.S.C. 1251 et seq.);

- 1 (III) the Clean Air Act (42
2 U.S.C. 7401 et seq.);
- 3 (IV) the Safe Drinking Water
4 Act (42 U.S.C. 300f et seq.);
- 5 (V) the Endangered Species Act
6 of 1973 (16 U.S.C. 1531 et seq.);
- 7 (VI) division A of subtitle III of
8 title 54, United States Code (formerly
9 known as the “National Historic
10 Preservation Act”);
- 11 (VII) the Migratory Bird Treaty
12 Act (16 U.S.C. 703 et seq.);
- 13 (VIII) the Act of June 8, 1940
14 (16 U.S.C. 668 et seq.) (commonly
15 known as the “Bald and Golden Eagle
16 Protection Act”); and
- 17 (IX) any other Federal law that
18 the Chair determines to be appro-
19 priate.
- 20 (ii) ENVIRONMENTAL REVIEWS.—The
21 guidance under subparagraph (A) shall in-
22 clude direction to States and other inter-
23 ested parties for the development of pro-
24 grammatic environmental reviews under
25 the National Environmental Policy Act of

1 1969 (42 U.S.C. 4321 et seq.) for carbon
2 capture, utilization, and sequestration
3 projects and carbon dioxide pipelines.

4 (iii) PUBLIC INVOLVEMENT.—The
5 guidance under subparagraph (A) shall be
6 subject to the public notice, comment, and
7 solicitation of information procedures
8 under section 1506.6 of title 40, Code of
9 Federal Regulations (or a successor regula-
10 tion).

11 (C) SUBMISSION; PUBLICATION.—The
12 Chair shall—

13 (i) submit the guidance under sub-
14 subparagraph (A) to the Committee on Envi-
15 ronment and Public Works of the Senate
16 and the Committee on Energy and Com-
17 merce of the House of Representatives;
18 and

19 (ii) as soon as practicable, make the
20 guidance publicly available.

21 (D) EVALUATION.—The Chair shall—

22 (i) periodically evaluate the reports of
23 the task forces under paragraph (4)(E)
24 and, as necessary, revise the guidance
25 under subparagraph (A); and

1 (ii) each year, submit to the Com-
2 mittee on Environment and Public Works
3 of the Senate, the Committee on Energy
4 and Commerce of the House of Represent-
5 atives, and relevant Federal agencies a re-
6 port that describes any recommendations
7 for legislation, rules, revisions to rules, or
8 other policies that would address the issues
9 identified by the task forces under para-
10 graph (4)(E).

11 (4) TASK FORCE.—

12 (A) ESTABLISHMENT.—Not later than 18
13 months after the date of enactment of this Act,
14 the Chair shall establish not less than 2 task
15 forces, which shall each cover a different geo-
16 graphical area with differing demographic, land
17 use, or geological issues—

18 (i) to identify permitting and other
19 challenges and successes that permitting
20 authorities and project developers and op-
21 erators face; and

22 (ii) to improve the performance of the
23 permitting process and regional coordina-
24 tion for the purpose of promoting the effi-
25 cient, orderly, and responsible development

1 of carbon capture, utilization, and seques-
2 tration projects and carbon dioxide pipe-
3 lines.

4 (B) MEMBERS AND SELECTION.—

5 (i) IN GENERAL.—The Chair shall—

6 (I) develop criteria for the selec-
7 tion of members to each task force;
8 and

9 (II) select members for each task
10 force in accordance with subclause (I)
11 and clause (ii).

12 (ii) MEMBERS.—Each task force—

13 (I) shall include not less than 1
14 representative of each of—

15 (aa) the Environmental Pro-
16 tection Agency;

17 (bb) the Department of En-
18 ergy;

19 (cc) the Department of the
20 Interior;

21 (dd) any other Federal
22 agency the Chair determines to
23 be appropriate;

1 (ee) any State that requests
2 participation in the geographical
3 area covered by the task force;

4 (ff) developers or operators
5 of carbon capture, utilization,
6 and sequestration projects or car-
7 bon dioxide pipelines; and

8 (gg) nongovernmental mem-
9 bership organizations, the pri-
10 mary mission of which concerns
11 protection of the environment;
12 and

13 (II) at the request of a Tribal or
14 local government, may include a rep-
15 resentative of—

16 (aa) not less than 1 local
17 government in the geographical
18 area covered by the task force;
19 and

20 (bb) not less than 1 Tribal
21 government in the geographical
22 area covered by the task force.

23 (C) MEETINGS.—

24 (i) IN GENERAL.—Each task force
25 shall meet not less than twice each year.

1 (ii) JOINT MEETING.—To the max-
2 imum extent practicable, the task forces
3 shall meet collectively not less than once
4 each year.

5 (D) DUTIES.—Each task force shall—

6 (i) inventory existing or potential Fed-
7 eral and State approaches to facilitate re-
8 views associated with the deployment of
9 carbon capture, utilization, and sequestra-
10 tion projects and carbon dioxide pipelines,
11 including best practices that—

12 (I) avoid duplicative reviews;

13 (II) engage stakeholders early in
14 the permitting process; and

15 (III) make the permitting process
16 efficient, orderly, and responsible;

17 (ii) develop common models for State-
18 level carbon dioxide pipeline regulation and
19 oversight guidelines that can be shared
20 with States in the geographical area cov-
21 ered by the task force;

22 (iii) provide technical assistance to
23 States in the geographical area covered by
24 the task force in implementing regulatory

1 requirements and any models developed
2 under clause (ii);

3 (iv) inventory current or emerging ac-
4 tivities that transform captured carbon di-
5 oxide into a product of commercial value,
6 or as an input to products of commercial
7 value;

8 (v) identify any priority carbon diox-
9 ide pipelines needed to enable efficient, or-
10 derly, and responsible development of car-
11 bon capture, utilization, and sequestration
12 projects at increased scale;

13 (vi) identify gaps in the current Fed-
14 eral and State regulatory framework and
15 in existing data for the deployment of car-
16 bon capture, utilization, and sequestration
17 projects and carbon dioxide pipelines;

18 (vii) identify Federal and State fi-
19 nancing mechanisms available to project
20 developers; and

21 (viii) develop recommendations for rel-
22 evant Federal agencies on how to develop
23 and research technologies that—

24 (I) can capture carbon dioxide;
25 and

1 (II) would be able to be deployed
2 within the region covered by the task
3 force, including any projects that have
4 received technical or financial assist-
5 ance for research under paragraph (6)
6 of section 103(g) of the Clean Air Act
7 (42 U.S.C. 7403(g)).

8 (E) REPORT.—Each year, each task force
9 shall prepare and submit to the Chair and to
10 the other task forces a report that includes—

11 (i) any recommendations for improve-
12 ments in efficient, orderly, and responsible
13 issuance or administration of Federal per-
14 mits and other Federal authorizations re-
15 quired under a law described in paragraph
16 (3)(B)(i); and

17 (ii) any other nationally relevant in-
18 formation that the task force has collected
19 in carrying out the duties under subpara-
20 graph (D).

21 (F) EVALUATION.—Not later than 5 years
22 after the date of enactment of this Act, the
23 Chair shall—

24 (i) reevaluate the need for the task
25 forces; and

1 (ii) submit to Congress a rec-
2 ommendation as to whether the task forces
3 should continue.

4 **SEC. 6085. LEGAL ASSISTANCE FOR VETERANS AND SUR-**
5 **VIVING SPOUSES AND DEPENDENTS.**

6 (a) AVAILABILITY OF LEGAL ASSISTANCE AT FACILI-
7 TIES OF DEPARTMENT OF VETERANS AFFAIRS.—

8 (1) IN GENERAL.—Chapter 59 of title 38,
9 United States Code, is amended by adding at the
10 end the following new section:

11 **“§ 5906. Availability of legal assistance at Department**
12 **facilities**

13 “(a) IN GENERAL.—Not less frequently than three
14 times each year, the Secretary shall facilitate the provision
15 by a qualified legal assistance clinic of pro bono legal as-
16 sistance described in subsection (c) to eligible individuals
17 at not fewer than one medical center of the Department
18 of Veterans Affairs, or such other facility of the Depart-
19 ment as the Secretary considers appropriate, in each
20 State.

21 “(b) ELIGIBLE INDIVIDUALS.—For purposes of this
22 section, an eligible individual is—

23 “(1) any veteran;

24 “(2) any surviving spouse; or

25 “(3) any child of a veteran who has died.

1 “(c) PRO BONO LEGAL ASSISTANCE DESCRIBED.—

2 The pro bono legal assistance described in this subsection
3 is the following:

4 “(1) Legal assistance with any program admin-
5 istered by the Secretary.

6 “(2) Legal assistance associated with—

7 “(A) improving the status of a military
8 discharge or characterization of service in the
9 Armed Forces, including through a discharge
10 review board; or

11 “(B) seeking a review of a military record
12 before a board of correction for military or
13 naval records.

14 “(3) Such other legal assistance as the Sec-
15 retary—

16 “(A) considers appropriate; and

17 “(B) determines may be needed by eligible
18 individuals.

19 “(d) LIMITATION ON USE OF FACILITIES.—Space in
20 a medical center or facility designated under subsection
21 (a) shall be reserved for and may only be used by the fol-
22 lowing, subject to review and removal from participation
23 by the Secretary:

24 “(1) A veterans service organization or other
25 nonprofit organization.

1 “(2) A legal assistance clinic associated with an
2 accredited law school.

3 “(3) A legal services organization.

4 “(4) A bar association.

5 “(5) Such other attorneys and entities as the
6 Secretary considers appropriate.

7 “(e) LEGAL ASSISTANCE IN RURAL AREAS.—In car-
8 rying out this section, the Secretary shall ensure that pro
9 bono legal assistance is provided under subsection (a) in
10 rural areas.

11 “(f) DEFINITION OF VETERANS SERVICE ORGANIZA-
12 TION.—The term ‘veterans service organization’ means
13 any organization recognized by the Secretary for the rep-
14 resentation of veterans under section 5902 of this title.”.

15 (2) CLERICAL AMENDMENT.—The table of sec-
16 tions at the beginning of chapter 59 of such title is
17 amended by adding at the end the following new
18 item:

 “5906. Availability of legal assistance at Department facilities.”.

19 (b) PILOT PROGRAM TO ESTABLISH AND SUPPORT
20 LEGAL ASSISTANCE CLINICS.—

21 (1) PILOT PROGRAM REQUIRED.—

22 (A) IN GENERAL.—Not later than one year
23 after the date of the enactment of this Act, the
24 Secretary of Veterans Affairs shall establish a
25 pilot program to assess the feasibility and ad-

1 visability of awarding grants to eligible entities
2 to establish new legal assistance clinics, or en-
3 hance existing legal assistance clinics or other
4 pro bono efforts, for the provision of pro bono
5 legal assistance described in subsection (c) of
6 section 5906 of title 38, United States Code, as
7 added by subsection (a), on a year-round basis
8 to individuals who served in the Armed Forces,
9 including individuals who served in a reserve
10 component of the Armed Forces, and who were
11 discharged or released therefrom, regardless of
12 the conditions of such discharge or release, at
13 locations other than medical centers and facili-
14 ties described in subsection (a) of such section.

15 (B) RULE OF CONSTRUCTION.—Nothing in
16 subparagraph (A) shall be construed to limit or
17 affect—

18 (i) the provision of pro bono legal as-
19 sistance to eligible individuals at medical
20 centers and facilities of the Department of
21 Veterans Affairs under section 5906(a) of
22 title 38, United States Code, as added by
23 subsection (a); or

24 (ii) any other legal assistance provided
25 pro bono at medical centers or facilities of

1 the Department as of the date of the en-
2 actment of this Act.

3 (2) ELIGIBLE ENTITIES.—For purposes of the
4 pilot program, an eligible entity is—

5 (A) a veterans service organization or
6 other nonprofit organization specifically focused
7 on assisting veterans;

8 (B) an entity specifically focused on assist-
9 ing veterans and associated with an accredited
10 law school;

11 (C) a legal services organization or bar as-
12 sociation; or

13 (D) such other type of entity as the Sec-
14 retary considers appropriate for purposes of the
15 pilot program.

16 (3) LOCATIONS.—The Secretary shall ensure
17 that at least one grant is awarded under paragraph
18 (1)(A) to at least one eligible entity in each State,
19 if the Secretary determines that there is such an en-
20 tity in a State that has applied for, and meets re-
21 quirements for the award of, such a grant.

22 (4) DURATION.—The Secretary shall carry out
23 the pilot program during the five-year period begin-
24 ning on the date on which the Secretary establishes
25 the pilot program.

1 (5) APPLICATION.—An eligible entity seeking a
2 grant under the pilot program shall submit to the
3 Secretary an application therefore at such time, in
4 such manner, and containing such information as
5 the Secretary may require.

6 (6) SELECTION.—The Secretary shall select eli-
7 gible entities who submit applications under para-
8 graph (5) for the award of grants under the pilot
9 program using a competitive process that takes into
10 account the following:

11 (A) Capacity of the applicant entity to
12 serve veterans and ability of the entity to pro-
13 vide sound legal advice.

14 (B) Demonstrated need of the veteran pop-
15 ulation the applicant entity would serve.

16 (C) Demonstrated need of the applicant
17 entity for assistance from the grants.

18 (D) Geographic diversity of applicant enti-
19 ties.

20 (E) Such other criteria as the Secretary
21 considers appropriate.

22 (7) GRANTEE REPORTS.—Each recipient of a
23 grant under the pilot program shall, in accordance
24 with such criteria as the Secretary may establish,

1 submit to the Secretary a report on the activities of
2 the recipient and how the grant amounts were used.

3 (c) REVIEW OF PRO BONO ELIGIBILITY OF FEDERAL
4 WORKERS.—

5 (1) IN GENERAL.—The Secretary shall, in con-
6 sultation with the Attorney General and the Director
7 of the Office of Government Ethics, conduct a re-
8 view of the rules and regulations governing the cir-
9 cumstances under which attorneys employed by the
10 Federal Government can provide pro bono legal as-
11 sistance.

12 (2) RECOMMENDATIONS.—In conducting the re-
13 view required by paragraph (1), the Secretary shall
14 develop recommendations for such legislative or ad-
15 ministrative action as the Secretary considers appro-
16 priate to facilitate greater participation by Federal
17 employees in pro bono legal and other volunteer
18 services for veterans.

19 (3) SUBMITTAL TO CONGRESS.—Not later than
20 one year after the date of the enactment of this Act,
21 the Secretary shall submit to the appropriate com-
22 mittees of Congress—

23 (A) the findings of the Secretary with re-
24 spect to the review conducted under paragraph
25 (1); and

1 (B) the recommendations developed by the
2 Secretary under paragraph (2).

3 (d) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary shall submit
5 to the appropriate committees of Congress a report on the
6 status of the implementation of this section.

7 (e) DEFINITIONS.—In this section:

8 (1) APPROPRIATE COMMITTEES OF CON-
9 GRESS.—The term “appropriate committees of Con-
10 gress” means—

11 (A) the Committee on Veterans’ Affairs
12 and the Committee on Appropriations of the
13 Senate; and

14 (B) the Committee on Veterans’ Affairs
15 and the Committee on Appropriations of the
16 House of Representatives.

17 (2) VETERANS SERVICE ORGANIZATION.—The
18 term “veterans service organization” means any or-
19 ganization recognized by the Secretary for the rep-
20 resentation of veterans under section 5902 of title
21 38, United States Code.

22 **SEC. 6086. SILVER STAR SERVICE BANNER DAY.**

23 (a) FINDINGS.—Congress finds the following:

1 (1) Congress is committed to honoring the sac-
2 rifices of wounded and ill members of the Armed
3 Forces.

4 (2) The Silver Star Service Banner recognizes
5 the members of the Armed Forces and veterans who
6 were wounded or became ill while serving in combat
7 for the United States.

8 (3) The sacrifices made by members of the
9 Armed Forces and veterans on behalf of the United
10 States should never be forgotten.

11 (4) May 1 is an appropriate date to designate
12 as “Silver Star Service Banner Day”.

13 (b) DESIGNATION.—

14 (1) IN GENERAL.—Chapter 1 of title 36, United
15 States Code, is amended by adding at the end the
16 following:

17 **“§ 146. Silver Star Service Banner Day**

18 “(a) DESIGNATION.—May 1 is Silver Star Service
19 Banner Day.

20 “(b) PROCLAMATION.—The President is requested to
21 issue each year a proclamation calling on the people of
22 the United States to observe Silver Star Service Banner
23 Day with appropriate programs, ceremonies, and activi-
24 ties.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
 2 tions at the beginning of chapter 1 of such title is
 3 amended by inserting after the item relating to sec-
 4 tion 145 the following:

“146. Silver Star Service Banner Day.”.

5 **SEC. 6087. ESTABLISHED PROGRAM TO STIMULATE COM-**
 6 **PETITIVE RESEARCH.**

7 Section 2203(b) of the Energy Policy Act of 1992
 8 (42 U.S.C. 13503(b)) is amended by striking paragraph
 9 (3) and inserting the following:

10 “(3) ESTABLISHED PROGRAM TO STIMULATE
 11 COMPETITIVE RESEARCH.—

12 “(A) DEFINITIONS.—In this paragraph:

13 “(i) ELIGIBLE JURISDICTION.—The
 14 term ‘eligible jurisdiction’ means a State
 15 that is determined to be eligible for a grant
 16 under this paragraph in accordance with
 17 subparagraph (D).

18 “(ii) EPSCoR.—The term ‘EPSCoR’
 19 means the Established Program to Stimu-
 20 late Competitive Research operated under
 21 subparagraph (B).

22 “(iii) NATIONAL LABORATORY.—The
 23 term ‘National Laboratory’ has the mean-
 24 ing given the term in section 2 of the En-

1 ergy Policy Act of 2005 (42 U.S.C.
2 15801).

3 “(iv) STATE.—The term ‘State’
4 means—

5 “(I) a State;

6 “(II) the District of Columbia;

7 “(III) the Commonwealth of
8 Puerto Rico;

9 “(IV) Guam; and

10 “(V) the United States Virgin Is-
11 lands.

12 “(B) PROGRAM OPERATION.—The Sec-
13 retary shall operate an Established Program to
14 Stimulate Competitive Research.

15 “(C) OBJECTIVES.—The objectives of
16 EPSCoR shall be—

17 “(i) to increase the number of re-
18 searchers in eligible jurisdictions, especially
19 at institutions of higher education, capable
20 of performing nationally competitive
21 science and engineering research in sup-
22 port of the mission of the Department of
23 Energy in the areas of applied energy re-
24 search, environmental management, and
25 basic science;

1 “(ii) to improve science and engineer-
2 ing research and education programs at in-
3 stitutions of higher education in eligible ju-
4 risdictions and enhance the capabilities of
5 eligible jurisdictions to develop, plan, and
6 execute research that is competitive, in-
7 cluding through investing in research
8 equipment and instrumentation; and

9 “(iii) to increase the probability of
10 long-term growth of competitive funding to
11 eligible jurisdictions.

12 “(D) ELIGIBLE JURISDICTIONS.—

13 “(i) IN GENERAL.—The Secretary
14 may establish criteria for determining
15 whether a State is eligible for a grant
16 under this paragraph.

17 “(ii) REQUIREMENT.—Except as pro-
18 vided in clause (iii), in establishing criteria
19 under clause (i), the Secretary shall ensure
20 that a State is eligible for a grant under
21 this paragraph if the State, as determined
22 by the Secretary, is a State that—

23 “(I) historically has received rel-
24 atively little Federal research and de-
25 velopment funding; and

1 “(II) has demonstrated a com-
2 mitment—

3 “(aa) to develop the re-
4 search bases in the State; and

5 “(bb) to improve science and
6 engineering research and edu-
7 cation programs at institutions of
8 higher education in the State.

9 “(iii) ELIGIBILITY UNDER NSF
10 EPSCOR.—At the election of the Secretary,
11 or if the Secretary determines not to estab-
12 lish criteria under clause (i), a State is eli-
13 gible for a grant under this paragraph if
14 the State is eligible to receive funding
15 under the Established Program to Stimu-
16 late Competitive Research of the National
17 Science Foundation.

18 “(E) GRANTS IN AREAS OF APPLIED EN-
19 ERGY RESEARCH, ENVIRONMENTAL MANAGE-
20 MENT, AND BASIC SCIENCE.—

21 “(i) IN GENERAL.—EPSCoR shall
22 make grants to eligible jurisdictions to
23 carry out and support applied energy re-
24 search and research in all areas of environ-
25 mental management and basic science

1 sponsored by the Department of Energy,
2 including—

3 “(I) energy efficiency, fossil en-
4 ergy, renewable energy, and other ap-
5 plied energy research;

6 “(II) electricity delivery research;

7 “(III) cybersecurity, energy secu-
8 rity, and emergency response;

9 “(IV) environmental manage-
10 ment; and

11 “(V) basic science research.

12 “(ii) ACTIVITIES.—EPSCoR shall
13 make grants under this subparagraph for
14 activities consistent with the objectives de-
15 scribed in subparagraph (C) in the areas of
16 applied energy research, environmental
17 management, and basic science described
18 in clause (i), including—

19 “(I) to support research that is
20 carried out in partnership with the
21 National Laboratories;

22 “(II) to provide for graduate
23 traineeships;

24 “(III) to support research by
25 early career faculty; and

1 “(IV) to improve research capa-
2 bilities through biennial research im-
3 plementation grants.

4 “(iii) NO COST SHARING.—EPSCoR
5 shall not impose any cost-sharing require-
6 ment with respect to a grant made under
7 this subparagraph, but may require letters
8 of commitment from National Labora-
9 tories.

10 “(F) OTHER ACTIVITIES.—EPSCoR may
11 carry out such activities as may be necessary to
12 meet the objectives described in subparagraph
13 (C) in the areas of applied energy research, en-
14 vironmental management, and basic science de-
15 scribed in subparagraph (E)(i).

16 “(G) PROGRAM IMPLEMENTATION.—

17 “(i) IN GENERAL.—Not later than
18 270 days after the date of enactment of
19 the National Defense Authorization Act for
20 Fiscal Year 2021, the Secretary shall sub-
21 mit to the Committees on Energy and Nat-
22 ural Resources and Appropriations of the
23 Senate and the Committees on Energy and
24 Commerce and Appropriations of the
25 House of Representatives a plan describing

1 how the Secretary shall implement
2 EPSCoR.

3 “(ii) CONTENTS OF PLAN.—The plan
4 described in clause (i) shall include a de-
5 scription of—

6 “(I) the management structure of
7 EPSCoR, which shall ensure that all
8 research areas and activities described
9 in this paragraph are incorporated
10 into EPSCoR;

11 “(II) efforts to conduct outreach
12 to inform eligible jurisdictions and
13 faculty of changes to, and opportuni-
14 ties under, EPSCoR;

15 “(III) how EPSCoR plans to in-
16 crease engagement with eligible juris-
17 dictions, faculty, and State commit-
18 tees, including by holding regular
19 workshops, to increase participation in
20 EPSCoR; and

21 “(IV) any other issues relating to
22 EPSCoR that the Secretary deter-
23 mines appropriate.

24 “(H) PROGRAM EVALUATION.—

1 “(i) IN GENERAL.—Not later than 5
2 years after the date of enactment of the
3 National Defense Authorization Act for
4 Fiscal Year 2021, the Secretary shall con-
5 tract with a federally funded research and
6 development center, the National Academy
7 of Sciences, or a similar organization to
8 carry out an assessment of the effective-
9 ness of EPSCoR, including an assessment
10 of—

11 “(I) the tangible progress made
12 towards achieving the objectives de-
13 scribed in subparagraph (C);

14 “(II) the impact of research sup-
15 ported by EPSCoR on the mission of
16 the Department of Energy; and

17 “(III) any other issues relating to
18 EPSCoR that the Secretary deter-
19 mines appropriate.

20 “(ii) LIMITATION.—The organization
21 with which the Secretary contracts under
22 clause (i) shall not be a National Labora-
23 tory.

24 “(iii) REPORT.—Not later than 6
25 years after the date of enactment of the

1 National Defense Authorization Act for
2 Fiscal Year 2021, the Secretary shall sub-
3 mit to the Committees on Energy and Nat-
4 ural Resources and Appropriations of the
5 Senate and the Committees on Energy and
6 Commerce and Appropriations of the
7 House of Representatives a report describ-
8 ing the results of the assessment carried
9 out under clause (i), including rec-
10 ommendations for improvements that
11 would enable the Secretary to achieve the
12 objectives described in subparagraph (C).”.

13 **SEC. 6088. SUBPOENA AUTHORITY.**

14 (a) IN GENERAL.—Section 2209 of the Homeland
15 Security Act of 2002 (6 U.S.C. 659) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (5), by striking “and” at
18 the end;

19 (B) by redesignating paragraph (6) as
20 paragraph (7); and

21 (C) by inserting after paragraph (5) the
22 following:

23 “(6) the term ‘security vulnerability’ has the
24 meaning given that term in section 102(17) of the

1 Cybersecurity Information Sharing Act of 2015 (6
2 U.S.C. 1501(17)); and”;

3 (2) in subsection (c)—

4 (A) in paragraph (10), by striking “and”
5 at the end;

6 (B) in paragraph (11), by striking the pe-
7 riod at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(12) detecting, identifying, and receiving infor-
10 mation about security vulnerabilities relating to crit-
11 ical infrastructure in the information systems and
12 devices for a cybersecurity purpose, as defined in
13 section 102 of the Cybersecurity Information Shar-
14 ing Act of 2015 (6 U.S.C. 1501).”; and

15 (3) by adding at the end the following:

16 “(o) SUBPOENA AUTHORITY.—

17 “(1) DEFINITION.—In this subsection, the term
18 ‘covered device or system’—

19 “(A) means a device or system commonly
20 used to perform industrial, commercial, sci-
21 entific, or governmental functions or processes
22 that relate to critical infrastructure, including
23 operational and industrial control systems, dis-
24 tributed control systems, and programmable
25 logic controllers; and

1 “(B) does not include personal devices and
2 systems, such as consumer mobile devices, home
3 computers, residential wireless routers, or resi-
4 dential internet enabled consumer devices.

5 “(2) AUTHORITY.—

6 “(A) IN GENERAL.—If the Director identi-
7 fies a system connected to the internet with a
8 specific security vulnerability and has reason to
9 believe that the security vulnerability relates to
10 critical infrastructure and affects a covered de-
11 vice or system, and the Director is unable to
12 identify the entity at risk that owns or operates
13 the covered device or system, the Director may
14 issue a subpoena for the production of informa-
15 tion necessary to identify and notify the entity
16 at risk, in order to carry out a function author-
17 ized under subsection (c)(12).

18 “(B) LIMIT ON INFORMATION.—A sub-
19 poena issued under the authority under sub-
20 paragraph (A) may seek information—

21 “(i) only in the categories set forth in
22 subparagraphs (A), (B), (D), and (E) of
23 section 2703(c)(2) of title 18, United
24 States Code; and

1 “(ii) for not more than 20 covered de-
2 vices or systems.

3 “(C) LIABILITY PROTECTIONS FOR DIS-
4 CLOSING PROVIDERS.—The provisions of section
5 2703(e) of title 18, United States Code, shall
6 apply to any subpoena issued under the author-
7 ity under subparagraph (A).

8 “(3) COORDINATION.—

9 “(A) IN GENERAL.—If the Director decides
10 to exercise the subpoena authority under this
11 subsection, and in the interest of avoiding inter-
12 ference with ongoing law enforcement investiga-
13 tions, the Director shall coordinate the issuance
14 of any such subpoena with the Department of
15 Justice, including the Federal Bureau of Inves-
16 tigation, pursuant to inter-agency procedures
17 which the Director, in coordination with the At-
18 torney General, shall develop not later than 60
19 days after the date of enactment of this sub-
20 section.

21 “(B) CONTENTS.—The inter-agency proce-
22 dures developed under this paragraph shall pro-
23 vide that a subpoena issued by the Director
24 under this subsection shall be—

1 “(i) issued in order to carry out a
2 function described in subsection (c)(12);
3 and

4 “(ii) subject to the limitations under
5 this subsection.

6 “(4) NONCOMPLIANCE.—If any person, part-
7 nership, corporation, association, or entity fails to
8 comply with any duly served subpoena issued under
9 this subsection, the Director may request that the
10 Attorney General seek enforcement of the subpoena
11 in any judicial district in which such person, part-
12 nership, corporation, association, or entity resides, is
13 found, or transacts business.

14 “(5) NOTICE.—Not later than 7 days after the
15 date on which the Director receives information ob-
16 tained through a subpoena issued under this sub-
17 section, the Director shall notify any entity identi-
18 fied by information obtained under the subpoena re-
19 garding the subpoena and the identified vulner-
20 ability.

21 “(6) AUTHENTICATION.—

22 “(A) IN GENERAL.—Any subpoena issued
23 by the Director under this subsection shall be
24 authenticated with a cryptographic digital sig-
25 nature of an authorized representative of the

1 Agency, or other comparable successor tech-
2 nology, that allows the Agency to demonstrate
3 that the subpoena was issued by the Agency
4 and has not been altered or modified since it
5 was issued by the Agency.

6 “(B) INVALID IF NOT AUTHENTICATED.—

7 Any subpoena issued by the Director under this
8 subsection that is not authenticated in accord-
9 ance with subparagraph (A) shall not be consid-
10 ered to be valid by the recipient of the sub-
11 poena.

12 “(7) PROCEDURES.—Not later than 90 days

13 after the date of enactment of this subsection, the
14 Director shall establish internal procedures and as-
15 sociated training, applicable to employees and oper-
16 ations of the Agency, regarding subpoenas issued
17 under this subsection, which shall address—

18 “(A) the protection of and restriction on
19 dissemination of nonpublic information obtained
20 through a subpoena issued under this sub-
21 section, including a requirement that the Agen-
22 cy shall not disseminate nonpublic information
23 obtained through a subpoena issued under this
24 subsection that identifies the party that is sub-
25 ject to the subpoena or the entity at risk identi-

1 fied by information obtained, except that the
2 Agency may share the nonpublic information of
3 the entity at risk with another the Department
4 of Justice for the purpose of enforcing the sub-
5 poena in accordance with paragraph (4) or with
6 a Federal agency if—

7 “(i) the Agency identifies or is noti-
8 fied of a cybersecurity incident involving
9 the entity, which relates to the vulner-
10 ability which led to the issuance of the sub-
11 poena;

12 “(ii) the Director determines that
13 sharing the nonpublic information with an-
14 other Federal agency is necessary to allow
15 that Federal agency to take a law enforce-
16 ment or national security action, subject to
17 the interagency procedures under para-
18 graph (3)(A), or actions related to miti-
19 gating or otherwise resolving such incident;

20 “(iii) the entity to which the informa-
21 tion pertains is notified of the Director’s
22 determination, to the extent practicable
23 consistent with national security or law en-
24 forcement interests, subject to the inter-

1 agency procedures under paragraph (3)(A);

2 and

3 “(iv) the entity consents, except that
4 the entity’s consent shall not be required if
5 another Federal agency identifies the enti-
6 ty to the Agency in connection with a sus-
7 pected cybersecurity incident;

8 “(B) the restriction on the use of informa-
9 tion obtained through the subpoena for a cyber-
10 security purpose, as defined in section 102 of
11 the Cybersecurity Information Sharing Act of
12 2015 (6 U.S.C. 1501);

13 “(C) the retention and destruction of non-
14 public information obtained through a subpoena
15 issued under this subsection, including—

16 “(i) destruction of information ob-
17 tained through the subpoena that the Di-
18 rector determines is unrelated to critical
19 infrastructure immediately upon providing
20 notice to the entity pursuant to paragraph
21 (5); and

22 “(ii) destruction of any personally
23 identifiable information not later than 6
24 months after the date on which the Direc-
25 tor receives information obtained through

1 the subpoena, unless otherwise agreed to
2 by the individual identified by the sub-
3 poena respondent;

4 “(D) the processes for providing notice to
5 each party that is subject to the subpoena and
6 each entity identified by information obtained
7 under a subpoena issued under this subsection;

8 “(E) the processes and criteria for con-
9 ducting critical infrastructure security risk as-
10 sessments to determine whether a subpoena is
11 necessary prior to being issued under this sub-
12 section; and

13 “(F) the information to be provided to an
14 entity at risk at the time of the notice of the
15 vulnerability, which shall include—

16 “(i) a discussion or statement that re-
17 sponding to, or subsequent engagement
18 with, the Agency, is voluntary; and

19 “(ii) to the extent practicable, infor-
20 mation regarding the process through
21 which the Director identifies security
22 vulnerabilities.

23 “(8) LIMITATION ON PROCEDURES.—The inter-
24 nal procedures established under paragraph (7) may
25 not require an owner or operator of critical infra-

1 structure to take any action as a result of a notice
2 of vulnerability made pursuant to this Act.

3 “(9) REVIEW OF PROCEDURES.—Not later than
4 1 year after the date of enactment of this sub-
5 section, the Privacy Officer of the Agency shall—

6 “(A) review the procedures developed by
7 the Director under paragraph (7) to ensure
8 that—

9 “(i) the procedures are consistent with
10 fair information practices; and

11 “(ii) the operations of the Agency
12 comply with the procedures; and

13 “(B) notify the Committee on Homeland
14 Security and Governmental Affairs of the Sen-
15 ate and the Committee on Homeland Security
16 of the House of Representatives of the results
17 of the review.

18 “(10) PUBLICATION OF INFORMATION.—Not
19 later than 120 days after establishing the internal
20 procedures under paragraph (7), the Director shall
21 publish information on the website of the Agency re-
22 garding the subpoena process under this subsection,
23 including regarding—

24 “(A) the purpose for subpoenas issued
25 under this subsection;

1 “(B) the subpoena process;

2 “(C) the criteria for the critical infrastruc-
3 ture security risk assessment conducted prior to
4 issuing a subpoena;

5 “(D) policies and procedures on retention
6 and sharing of data obtained by subpoena;

7 “(E) guidelines on how entities contacted
8 by the Director may respond to notice of a sub-
9 poena; and

10 “(F) the procedures and policies of the
11 Agency developed under paragraph (7).

12 “(11) ANNUAL REPORTS.—The Director shall
13 annually submit to the Committee on Homeland Se-
14 curity and Governmental Affairs of the Senate and
15 the Committee on Homeland Security of the House
16 of Representatives a report (which may include a
17 classified annex but with the presumption of declas-
18 sification) on the use of subpoenas under this sub-
19 section by the Director, which shall include—

20 “(A) a discussion of—

21 “(i) the effectiveness of the use of
22 subpoenas to mitigate critical infrastruc-
23 ture security vulnerabilities;

1 “(ii) the critical infrastructure secu-
2 rity risk assessment process conducted for
3 subpoenas issued under this subsection;

4 “(iii) the number of subpoenas issued
5 under this subsection by the Director dur-
6 ing the preceding year;

7 “(iv) to the extent practicable, the
8 number of vulnerable covered devices or
9 systems mitigated under this subsection by
10 the Agency during the preceding year; and

11 “(v) the number of entities notified by
12 the Director under this subsection, and
13 their response, during the previous year;
14 and

15 “(B) for each subpoena issued under this
16 subsection—

17 “(i) the source of the security vulner-
18 ability detected, identified, or received by
19 the Director;

20 “(ii) the steps taken to identify the
21 entity at risk prior to issuing the sub-
22 poena; and

23 “(iii) a description of the outcome of
24 the subpoena, including discussion on the

1 resolution or mitigation of the critical in-
2 frastructure security vulnerability.

3 “(12) PUBLICATION OF THE ANNUAL RE-
4 PORTS.—The Director shall publish a version of the
5 annual report required by paragraph (11) on the
6 website of the Agency, which shall, at a minimum,
7 include the findings described in clauses (iii), (iv)
8 and (v) of paragraph (11)(A).

9 “(13) PROHIBITION ON USE OF INFORMATION
10 FOR UNAUTHORIZED PURPOSES.—Any information
11 obtained pursuant to a subpoena issued under this
12 subsection shall not be provided to any other Fed-
13 eral agency for any purpose other than a cybersecu-
14 rity purpose, as defined in section 102 of the Cyber-
15 security Information Sharing Act of 2015 (6 U.S.C.
16 1501) or for the purpose of enforcing a subpoena
17 under paragraph (4).”.

18 (b) RULES OF CONSTRUCTION.—

19 (1) PROHIBITION ON NEW REGULATORY AU-
20 THORITY.—Nothing in this section or the amend-
21 ments made by this section shall be construed to
22 grant the Secretary of Homeland Security (in this
23 subsection referred to as the “Secretary”), or an-
24 other Federal agency, any authority to promulgate
25 regulations or set standards relating to the cyberse-

1 security of private sector critical infrastructure that
2 was not in effect on the day before the date of en-
3 actment of this Act.

4 (2) PRIVATE ENTITIES.—Nothing in this sec-
5 tion or the amendments made by this section shall
6 be construed to require any private entity—

7 (A) to request assistance from the Sec-
8 retary; or

9 (B) that requested such assistance from
10 the Secretary to implement any measure or rec-
11 ommendation suggested by the Secretary.

12 **SEC. 6089. THAD COCHRAN HEADQUARTERS BUILDING.**

13 (a) IN GENERAL.—The headquarters building of the
14 Engineer Research and Development Center of the Corps
15 of Engineers located at 3909 Halls Ferry Road in Vicks-
16 burg, Mississippi, shall be known and designated as the
17 “Thad Cochran Headquarters Building”.

18 (b) REFERENCES.—Any reference in a law, map, reg-
19 ulation, document, paper, or other record of the United
20 States to the building referred to in subsection (a) shall
21 be deemed to be a reference to the “Thad Cochran Head-
22 quarters Building”.

1 **SEC. 6090. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORT ON HANDLING BY DEPART-**
3 **MENT OF VETERANS AFFAIRS OF DISABILITY-**
4 **RELATED BENEFITS CLAIMS BY VETERANS**
5 **WITH TYPE 1 DIABETES WHO WERE EXPOSED**
6 **TO A HERBICIDE AGENT.**

7 The Comptroller General of the United States shall
8 submit to Congress a report evaluating how the Depart-
9 ment of Veterans Affairs has handled claims for disability-
10 related benefits under laws administered by the Secretary
11 of Veterans Affairs of veterans with type 1 diabetes who
12 have been exposed to a herbicide agent (as defined in sec-
13 tion 1116(a)(3) of title 38, United States Code).

14 **SEC. 6091. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**
15 **ERS' COMPENSATION PAYMENTS AND OTHER**
16 **PAYMENTS FOR FEDERAL GOVERNMENT**
17 **PERSONNEL UNDER CHIEF OF MISSION AU-**
18 **THORITY.**

19 Section 901 of title IX of division J of the Further
20 Consolidated Appropriations Act, 2020 (Public Law 116-
21 94) is amended—

22 (1) in subsection (a), by inserting “or other
23 designated heads of Federal agencies” after “The
24 Secretary of State”; and

1 (2) in subsection (e)(2), by striking “Depart-
2 ment of State” and inserting “Federal Govern-
3 ment”.

4 **Subtitle H—Industries of the**
5 **Future**

6 **SEC. 6094A. SHORT TITLE.**

7 This subtitle may be cited as the “Industries of the
8 Future Act of 2020”.

9 **SEC. 6094B. REPORT ON FEDERAL RESEARCH AND DEVEL-**
10 **OPMENT FOCUSED ON INDUSTRIES OF THE**
11 **FUTURE.**

12 (a) **IN GENERAL.**—Not later than 120 days after the
13 date of the enactment of this Act, the Director of the Of-
14 fice of Science and Technology Policy shall submit to Con-
15 gress a report on research and development investments,
16 infrastructure, and workforce development investments of
17 the Federal Government that enable continued United
18 States leadership in industries of the future.

19 (b) **CONTENTS.**—The report submitted under sub-
20 section (a) shall include the following:

21 (1) A definition, for purposes of this Act, of the
22 term “industries of the future” that includes emerg-
23 ing technologies.

24 (2) An assessment of the current baseline of in-
25 vestments in civilian research and development in-

1 vestments of the Federal Government in the indus-
2 tries of the future.

3 (3) A plan to double such baseline investments
4 in artificial intelligence and quantum information
5 science by fiscal year 2022.

6 (4) A detailed plan to increase investments de-
7 scribed in paragraph (2) in industries of the future
8 to \$10,000,000,000 per year by fiscal year 2025.

9 (5) A plan to leverage investments described in
10 paragraphs (2), (3), and (4) in industries of the fu-
11 ture to elicit complimentary investments by non-Fed-
12 eral entities to the greatest extent practicable.

13 (6) Proposed legislation to implement such
14 plans.

15 **SEC. 6094C. INDUSTRIES OF THE FUTURE COORDINATION**
16 **COUNCIL.**

17 (a) ESTABLISHMENT.—

18 (1) IN GENERAL.—The President shall establish
19 or designate a council to advise the Director of the
20 Office of Science and Technology Policy on matters
21 relevant to the Director and the industries of the fu-
22 ture.

23 (2) DESIGNATION.—The council established or
24 designated under paragraph (1) shall be known as

1 the “Industries of the Future Coordination Council”
2 (in this section the “Council”).

3 (b) MEMBERSHIP.—

4 (1) COMPOSITION.—The Council shall be com-
5 posed of members from the Federal Government as
6 follows:

7 (A) One member appointed by the Direc-
8 tor.

9 (B) A chairperson of the Select Committee
10 on Artificial Intelligence of the National Science
11 and Technology Council.

12 (C) A chairperson of the Subcommittee on
13 Advanced Manufacturing of the National
14 Science and Technology Council.

15 (D) A chairperson of the Subcommittee on
16 Quantum Information Science of the National
17 Science and Technology Council.

18 (E) Such other members as the President
19 considers appropriate.

20 (2) CHAIRPERSON.—The member appointed to
21 the Council under paragraph (1)(A) shall serve as
22 the chairperson of the Council.

23 (c) DUTIES.—The duties of the Council are as fol-
24 lows:

1 (1) To provide the Director with advice on ways
2 in which in the Federal Government can ensure the
3 United States continues to lead the world in devel-
4 oping emerging technologies that improve the quality
5 of life of the people of the United States, increase
6 economic competitiveness of the United States, and
7 strengthen the national security of the United
8 States, including identification of the following:

9 (A) Investments required in fundamental
10 research and development, infrastructure, and
11 workforce development of the United States
12 workers who will support the industries of the
13 future.

14 (B) Actions necessary to create and fur-
15 ther develop the workforce that will support the
16 industries of the future.

17 (C) Actions required to leverage the
18 strength of the research and development eco-
19 system of the United States, which includes
20 academia, industry, and nonprofit organiza-
21 tions.

22 (D) Ways that the Federal Government
23 can consider leveraging existing partnerships
24 and creating new partnerships and other multi-

1 sector collaborations to advance the industries
2 of the future.

3 (2) To provide the Director with advice on mat-
4 ters relevant to the report required by section
5 6092B.

6 (d) COORDINATION.—The Council shall coordinate
7 with and utilize relevant existing National Science and
8 Technology Council committees to the maximum extent
9 feasible in order to minimize duplication of effort.

10 (e) SUNSET.—The Council shall terminate on the
11 date that is 6 years after the date of the enactment of
12 this Act.

13 **Subtitle I—READI Act**

14 **SEC. 6096. SHORT TITLE.**

15 This subtitle may be cited as the “Reliable Emer-
16 gency Alert Distribution Improvement Act of 2020” or
17 “READI Act”.

18 **SEC. 6096A. DEFINITIONS.**

19 In this subtitle—

20 (1) the term “Administrator” means the Ad-
21 ministrator of the Federal Emergency Management
22 Agency;

23 (2) the term “Commission” means the Federal
24 Communications Commission;

1 (3) the term “Emergency Alert System” means
2 the national public warning system, the rules for
3 which are set forth in part 11 of title 47, Code of
4 Federal Regulations (or any successor regulation);
5 and

6 (4) the term “Wireless Emergency Alerts Sys-
7 tem” means the wireless national public warning
8 system established under the Warning, Alert, and
9 Response Network Act (47 U.S.C. 1201 et seq.), the
10 rules for which are set forth in part 10 of title 47,
11 Code of Federal Regulations (or any successor regu-
12 lation).

13 **SEC. 6096B. WIRELESS EMERGENCY ALERTS SYSTEM OF-**
14 **FERINGS.**

15 (a) **AMENDMENT.**—Section 602(b)(2)(E) of the
16 Warning, Alert, and Response Network Act (47 U.S.C.
17 1201(b)(2)(E)) is amended—

18 (1) by striking the second and third sentences;
19 and

20 (2) by striking “other than an alert issued by
21 the President.” and inserting the following: “other
22 than an alert issued by—

23 “(i) the President; or

24 “(ii) the Administrator of the Federal
25 Emergency Management Agency.”.

1 (b) REGULATIONS.—Not later than 180 days after
 2 the date of enactment of this Act, the Commission, in con-
 3 sultation with the Administrator, shall adopt regulations
 4 to implement the amendment made by subsection (a)(2).

5 **SEC. 6096C. STATE EMERGENCY ALERT SYSTEM PLANS AND**
 6 **EMERGENCY COMMUNICATIONS COMMIT-**
 7 **TEES.**

8 (a) DEFINITIONS.—In this section—

9 (1) the term “SECC” means a State Emer-
 10 gency Communications Committee;

11 (2) the term “State” means any State of the
 12 United States, the District of Columbia, the Com-
 13 monwealth of Puerto Rico, the United States Virgin
 14 Islands, Guam, American Samoa, the Common-
 15 wealth of the Northern Mariana Islands, and any
 16 possession of the United States; and

17 (3) the term “State EAS Plan” means a State
 18 Emergency Alert System Plan.

19 (b) STATE EMERGENCY COMMUNICATIONS COM-
 20 MITTEE.—Not later than 180 days after the date of enact-
 21 ment of this Act, the Commission shall adopt regulations
 22 that—

23 (1) encourage the chief executive of each
 24 State—

1 (A) to establish an SECC if the State does
2 not have an SECC; or

3 (B) if the State has an SECC, to review
4 the composition and governance of the SECC;
5 (2) provide that—

6 (A) each SECC, not less frequently than
7 annually, shall—

8 (i) meet to review and update its
9 State EAS Plan;

10 (ii) certify to the Commission that the
11 SECC has met as required under clause
12 (i); and

13 (iii) submit to the Commission an up-
14 dated State EAS Plan; and

15 (B) not later than 60 days after the date
16 on which the Commission receives an updated
17 State EAS Plan under subparagraph (A)(iii),
18 the Commission shall—

19 (i) approve or disapprove the updated
20 State EAS Plan; and

21 (ii) notify the chief executive of the
22 State of the Commission's findings; and

23 (3) establish a State EAS Plan content check-
24 list for SECCs to use when reviewing and updating

1 a State EAS Plan for submission to the Commission
2 under paragraph (2)(A).

3 (c) CONSULTATION.—The Commission shall consult
4 with the Administrator regarding the adoption of regula-
5 tions under subsection (b)(3).

6 **SEC. 6096D. INTEGRATED PUBLIC ALERT AND WARNING**
7 **SYSTEM GUIDANCE.**

8 (a) IN GENERAL.—Not later than 1 year after the
9 date of enactment of this Act, the Administrator shall de-
10 velop and issue guidance on how State, Tribal, and local
11 governments can participate in the integrated public alert
12 and warning system of the United States described in sec-
13 tion 526 of the Homeland Security Act of 2002 (6 U.S.C.
14 321o) (referred to in this section as the “public alert and
15 warning system”) while maintaining the integrity of the
16 public alert and warning system, including—

17 (1) guidance on the categories of public emer-
18 gencies and appropriate circumstances that warrant
19 an alert and warning from State, Tribal, and local
20 governments using the public alert and warning sys-
21 tem;

22 (2) the procedures for State, Tribal, and local
23 government officials to authenticate civil emer-
24 gencies and initiate, modify, and cancel alerts trans-

1 mitted through the public alert and warning system,
2 including protocols and technology capabilities for—

3 (A) the initiation, or prohibition on the ini-
4 tiation, of alerts by a single authorized or unau-
5 thorized individual;

6 (B) testing a State, Tribal, or local govern-
7 ment incident management and warning tool
8 without accidentally initiating an alert through
9 the public alert and warning system; and

10 (C) steps a State, Tribal, or local govern-
11 ment official should take to mitigate the possi-
12 bility of the issuance of a false alert through
13 the public alert and warning system;

14 (3) the standardization, functionality, and inter-
15 operability of incident management and warning
16 tools used by State, Tribal, and local governments to
17 notify the public of an emergency through the public
18 alert and warning system;

19 (4) the annual training and recertification of
20 emergency management personnel on requirements
21 for originating and transmitting an alert through
22 the public alert and warning system;

23 (5) the procedures, protocols, and guidance con-
24 cerning the protective action plans that State, Trib-
25 al, and local governments should issue to the public

1 following an alert issued under the public alert and
2 warning system;

3 (6) the procedures, protocols, and guidance con-
4 cerning the communications that State, Tribal, and
5 local governments should issue to the public fol-
6 lowing a false alert issued under the public alert and
7 warning system;

8 (7) a plan by which State, Tribal, and local
9 government officials may, during an emergency, con-
10 tact each other as well as Federal officials and par-
11 ticipants in the Emergency Alert System and the
12 Wireless Emergency Alerts System, when appro-
13 priate and necessary, by telephone, text message, or
14 other means of communication regarding an alert
15 that has been distributed to the public; and

16 (8) any other procedure the Administrator con-
17 siders appropriate for maintaining the integrity of
18 and providing for public confidence in the public
19 alert and warning system.

20 (b) COORDINATION WITH NATIONAL ADVISORY
21 COUNCIL REPORT.—The Administrator shall ensure that
22 the guidance developed under subsection (a) does not con-
23 flict with recommendations made for improving the public
24 alert and warning system provided in the report submitted
25 by the National Advisory Council under section 2(b)(7)(B)

1 of the Integrated Public Alert and Warning System Mod-
2 ernization Act of 2015 (Public Law 114–143; 130 Stat.
3 332).

4 (c) PUBLIC CONSULTATION.—In developing the guid-
5 ance under subsection (a), the Administrator shall ensure
6 appropriate public consultation and, to the extent prac-
7 ticable, coordinate the development of the guidance with
8 stakeholders of the public alert and warning system, in-
9 cluding—

10 (1) appropriate personnel from Federal agen-
11 cies, including the National Institute of Standards
12 and Technology, the Federal Emergency Manage-
13 ment Agency, and the Commission;

14 (2) representatives of State and local govern-
15 ments and emergency services personnel, who shall
16 be selected from among individuals nominated by
17 national organizations representing those govern-
18 ments and personnel;

19 (3) representatives of federally recognized In-
20 dian Tribes and national Indian organizations;

21 (4) communications service providers;

22 (5) vendors, developers, and manufacturers of
23 systems, facilities, equipment, and capabilities for
24 the provision of communications services;

25 (6) third-party service bureaus;

1 (7) the national organization representing the
2 licensees and permittees of noncommercial broadcast
3 television stations;

4 (8) technical experts from the broadcasting in-
5 dustry, including representatives of both the non-
6 commercial and commercial radio broadcast indus-
7 tries and non-commercial and commercial television
8 broadcast industries;

9 (9) educators from the Emergency Management
10 Institute; and

11 (10) other individuals with technical expertise
12 as the Administrator determines appropriate.

13 (d) INAPPLICABILITY OF FACCA.—The Federal Advi-
14 sory Committee Act (5 U.S.C. App.) shall not apply to
15 the public consultation with stakeholders under subsection
16 (c).

17 (e) RULE OF CONSTRUCTION.—Nothing in sub-
18 section (a) shall be construed to amend, supplement, or
19 abridge the authority of the Commission under the Com-
20 munications Act of 1934 (47 U.S.C. 151 et seq.) or in
21 any other manner give the Administrator authority over
22 communications service providers participating in the
23 Emergency Alert System or the Wireless Emergency
24 Alerts System.

1 **SEC. 6096E. FALSE ALERT REPORTING.**

2 Not later than 180 days after the date of enactment
 3 of this Act, the Commission, in consultation with the Ad-
 4 ministrator, shall complete a rulemaking proceeding to es-
 5 tablish a system to receive from the Administrator or
 6 State, Tribal, or local governments reports of false alerts
 7 under the Emergency Alert System or the Wireless Emer-
 8 gency Alerts System for the purpose of recording such
 9 false alerts and examining their causes.

10 **SEC. 6096F. REPEATING EMERGENCY ALERT SYSTEM MES-**
 11 **SAGES FOR NATIONAL SECURITY.**

12 (a) IN GENERAL.—Not later than 180 days after the
 13 date of enactment of this Act, the Commission, in con-
 14 sultation with the Administrator, shall complete a rule-
 15 making proceeding to modify the Emergency Alert System
 16 to provide for repeating Emergency Alert System mes-
 17 sages while an alert remains pending that is issued by—

- 18 (1) the President;
- 19 (2) the Administrator; or
- 20 (3) any other entity under specified cir-
 21 cumstances as determined by the Commission, in
 22 consultation with the Administrator.

23 (b) SCOPE OF RULEMAKING.—Subsection (a)—

- 24 (1) shall apply to warnings of national security
 25 events, meaning emergencies of national significance,

1 such as a missile threat, terror attack, or other act
2 of war; and

3 (2) shall not apply to more typical warnings,
4 such as a weather alert, AMBER Alert, or disaster
5 alert.

6 **SEC. 6096G. INTERNET AND ONLINE STREAMING SERVICES**

7 **EMERGENCY ALERT EXAMINATION.**

8 (a) STUDY.—Not later than 180 days after the date
9 of enactment of this Act, and after providing public notice
10 and opportunity for comment, the Commission shall com-
11 plete an inquiry to examine the feasibility of updating the
12 Emergency Alert System to enable or improve alerts to
13 consumers provided through the internet, including
14 through streaming services.

15 (b) REPORT.—Not later than 90 days after com-
16 pleting the inquiry under subsection (a), the Commission
17 shall submit a report on the findings and conclusions of
18 the inquiry to—

19 (1) the Committee on Commerce, Science, and
20 Transportation of the Senate; and

21 (2) the Committee on Energy and Commerce of
22 the House of Representatives.

1 **TITLE LXII—MATTERS RELAT-**
2 **ING TO FOREIGN NATIONS**
3 **Subtitle B—Matters Relating to**
4 **Afghanistan and Pakistan**

5 **SEC. 6211. CONGRESSIONAL OVERSIGHT OF UNITED**
6 **STATES TALKS WITH TALIBAN OFFICIALS**
7 **AND AFGHANISTAN’S COMPREHENSIVE**
8 **PEACE PROCESS.**

9 (a) DEFINITIONS.—In this section:

10 (1) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Foreign Relations,
14 the Committee on Armed Services, and the Se-
15 lect Committee on Intelligence of the Senate;
16 and

17 (B) the Committee on Foreign Affairs, the
18 Committee on Armed Services, and the Perma-
19 nent Select Committee on Intelligence of the
20 House of Representatives.

21 (2) GOVERNMENT OF AFGHANISTAN.—The
22 term “Government of Afghanistan” means the Gov-
23 ernment of the Islamic Republic of Afghanistan and
24 its agencies, instrumentalities, and controlled enti-
25 ties.

1 (3) THE TALIBAN.—The term “the Taliban”—

2 (A) refers to the organization that refers
3 to itself as the “Islamic Emirate of Afghani-
4 stan”, that was founded by Mohammed Omar,
5 and that is currently led by Mawlawi Hibatullah
6 Akhundzada; and

7 (B) includes subordinate organizations,
8 such as the Haqqani Network, and any suc-
9 cessor organization.

10 (4) FEBRUARY 29 AGREEMENT.—The term
11 “February 29 Agreement” refers to the political ar-
12 rangement between the United States and the
13 Taliban titled “Agreement for Bringing Peace to Af-
14 ghanistan Between the Islamic Emirate of Afghani-
15 stan which is not recognized by the United States as
16 a state and is known as the Taliban and the United
17 States of America” signed at Doha, Qatar February
18 29, 2020.

19 (b) OVERSIGHT OF PEACE PROCESS AND OTHER
20 AGREEMENTS.—

21 (1) TRANSMISSION TO CONGRESS OF MATE-
22 RIALS RELEVANT TO THE FEBRUARY 29 AGREE-
23 MENT.—The Secretary of State, in consultation with
24 the Secretary of Defense, shall continue to submit to

1 the appropriate congressional committees materials
2 relevant to the February 29 Agreement.

3 (2) SUBMISSION TO CONGRESS OF ANY FUTURE
4 DEALS INVOLVING THE TALIBAN.—The Secretary of
5 State shall submit to the appropriate congressional
6 committees, within 5 days of conclusion and on an
7 ongoing basis thereafter, any future agreement or
8 arrangement involving the Taliban in any manner,
9 as well as materials relevant to any future agree-
10 ment or arrangement involving the Taliban in any
11 manner.

12 (3) DEFINITIONS.—In this subsection, the
13 terms “materials relevant to the February 29 Agree-
14 ment” and “materials relevant to any future agree-
15 ment or arrangement” include all annexes, appen-
16 dices, and instruments for implementation of the
17 February 29 Agreement or a future agreement or
18 arrangement, as well as any understandings or ex-
19 pectations related to the Agreement or a future
20 agreement or arrangement.

21 (c) REPORT AND BRIEFING ON VERIFICATION AND
22 COMPLIANCE.—

23 (1) IN GENERAL.—

24 (A) REPORT.—Not later than 90 days
25 after the date of the enactment of this Act, and

1 not less frequently than once every 120 days
2 thereafter, the President shall submit to the ap-
3 propriate congressional committees a report
4 verifying whether the key tenets of the Feb-
5 ruary 29 Agreement, or future agreements, and
6 accompanying implementing frameworks are
7 being preserved and honored.

8 (B) BRIEFING.—At the time of each report
9 submitted under subparagraph (A), the Sec-
10 retary of State shall direct a Senate-confirmed
11 Department of State official and other appro-
12 priate officials to brief the appropriate congres-
13 sional committees on the contents of the report.
14 The Director of National Intelligence shall also
15 direct an appropriate official to participate in
16 the briefing.

17 (2) ELEMENTS.—The report and briefing re-
18 quired under paragraph (1) shall include—

19 (A) an assessment—

20 (i) of the Taliban’s compliance with
21 counterterrorism guarantees, including
22 guarantees to deny safe haven and freedom
23 of movement to al-Qaeda and other ter-
24 rorist threats from operating on territory
25 under its influence; and

1 (ii) whether the United States intel-
2 ligence community has collected any intel-
3 ligence indicating the Taliban does not in-
4 tend to uphold its commitments;

5 (B) an assessment of Taliban actions
6 against terrorist threats to United States na-
7 tional security interests;

8 (C) an assessment of whether Taliban offi-
9 cials have made a complete, transparent, public,
10 and verifiable breaking of all ties with al-Qaeda;

11 (D) an assessment of the current relation-
12 ship between the Taliban and al-Qaeda, includ-
13 ing any interactions between members of the
14 two groups in Afghanistan, Pakistan, or other
15 countries, and any change in Taliban conduct
16 towards al-Qaeda since February 29, 2020;

17 (E) an assessment of the relationship be-
18 tween the Taliban and any other terrorist group
19 that is assessed to threaten the security of the
20 United States or its allies, including any change
21 in conduct since February 29, 2020;

22 (F) an assessment of whether the Haqqani
23 Network has broken ties with al-Qaeda, and
24 whether the Haqqani Network's leader

1 Sirajuddin Haqqani remains part of the leader-
2 ship structure of the Taliban;

3 (G) an assessment of threats emanating
4 from Afghanistan against the United States
5 homeland and United States partners, and a
6 description of how the United States Govern-
7 ment is responding to those threats;

8 (H) an assessment of intra-Afghan discus-
9 sions, political reconciliation, and progress to-
10 wards a political roadmap that seeks to serve
11 all Afghans;

12 (I) an assessment of the viability of any
13 intra-Afghan governing agreement;

14 (J) an assessment as to whether the terms
15 of any reduction in violence or ceasefire are
16 being met by all sides in the conflict;

17 (K) a detailed overview of any United
18 States and NATO presence remaining in Af-
19 ghanistan and any planned changes to such
20 force posture;

21 (L) an assessment of the status of human
22 rights, including the rights of women, minori-
23 ties, and youth;

1 (M) an assessment of the access of women,
2 minorities, and youth to education, justice, and
3 economic opportunities in Afghanistan;

4 (N) an assessment of the status of the rule
5 of law and governance structures at the central,
6 provincial, and district levels of government;

7 (O) an assessment of the media and of the
8 press and civil society's operating space in Af-
9 ghanistan;

10 (P) an assessment of illicit narcotics pro-
11 duction in Afghanistan, its linkages to ter-
12 rorism, corruption, and instability, and policies
13 to counter illicit narcotics flows;

14 (Q) an assessment of corruption in Gov-
15 ernment of Afghanistan institutions at the dis-
16 trict, provincial, and central levels of govern-
17 ment;

18 (R) an assessment of the number of
19 Taliban and Afghan prisoners and any plans
20 for the release of such prisoners from either
21 side;

22 (S) an assessment of any malign Iranian,
23 Chinese, and Russian influence in Afghanistan;

1 (T) an assessment of how other regional
2 actors, such as Pakistan, are engaging with Af-
3 ghanistan;

4 (U) a detailed overview of national-level ef-
5 forts to promote transitional justice, including
6 forensic efforts and documentation of war
7 crimes, mass killings, or crimes against human-
8 ity, redress to victims, and reconciliation activi-
9 ties;

10 (V) A detailed overview of United States
11 support for Government of Afghanistan and
12 civil society efforts to promote peace and justice
13 at the local level and how these efforts are in-
14 forming government-level policies and negotia-
15 tions;

16 (W) an assessment of the progress made
17 by the Afghanistan Ministry of Interior and the
18 Office of the Attorney General to address gross
19 violations of human rights (GVHRs) by civilian
20 security forces, Taliban, and non-government
21 armed groups, including—

22 (i) a breakdown of resources provided
23 by the Government of Afghanistan towards
24 these efforts; and

1 (ii) a summary of assistance provided
2 by the United States Government to sup-
3 port these efforts; and

4 (X) an overview of civilian casualties
5 caused by the Taliban, non-government armed
6 groups, and Afghan National Defense and Se-
7 curity Forces, including—

8 (i) an estimate of the number of de-
9 stroyed or severely damaged civilian struc-
10 tures;

11 (ii) a description of steps taken by the
12 Government of Afghanistan to minimize ci-
13 vilian casualties and other harm to civil-
14 ians and civilian infrastructure;

15 (iii) an assessment of the Government
16 of Afghanistan's capacity and mechanisms
17 for investigating reports of civilian casual-
18 ties; and

19 (iv) an assessment of the Government
20 of Afghanistan's efforts to hold local mili-
21 tias accountable for civilian casualties.

22 (3) COUNTERTERRORISM STRATEGY.—In the
23 event that the Taliban does not meet its counterter-
24 rorism obligations under the February 29 Agree-
25 ment, the report and briefing required under this

1 subsection shall include information detailing the
2 United States' counterterrorism strategy in Afghani-
3 stan and Pakistan.

4 (4) FORM.—The report required under sub-
5 paragraph (A) of paragraph (1) shall be submitted
6 in unclassified form, but may include a classified
7 annex, and the briefing required under subpara-
8 graph (B) of such paragraph shall be conducted at
9 the appropriate classification level.

10 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion shall prejudice whether a future deal involving the
12 Taliban in any manner constitutes a treaty for purposes
13 of Article II of the Constitution of the United States.

14 (e) SUNSET.—Except for subsections (b) and (d), the
15 provisions of this section shall cease to be effective on the
16 date that is 5 years after the date of the enactment of
17 this Act.

1 **Subtitle D—Matters Relating to Eu-**
 2 **rope and the Russian Federa-**
 3 **tion**

4 **SEC. 6231. CLARIFICATION AND EXPANSION OF SANCTIONS**
 5 **RELATING TO CONSTRUCTION OF NORD**
 6 **STREAM 2 OR TURKSTREAM PIPELINE**
 7 **PROJECTS.**

8 (a) IN GENERAL.—Subsection (a)(1) of section 7503
 9 of the Protecting Europe’s Energy Security Act of 2019
 10 (title LXXV of Public Law 116–92) is amended—

11 (1) in subparagraph (A), by inserting “or pipe-
 12 laying activities” after “pipe-laying”; and

13 (2) in subparagraph (B)—

14 (A) in clause (i)—

15 (i) by inserting “, or facilitated sell-
 16 ing, leasing, or providing,” after “pro-
 17 vided”; and

18 (ii) by striking “; or” and inserting a
 19 semicolon;

20 (B) in clause (ii), by striking the period at
 21 the end and inserting a semicolon; and

22 (C) by adding at the end the following:

23 “(iii) provided underwriting services
 24 or insurance or reinsurance for those ves-
 25 sels;

1 (b) FINDINGS.—Congress makes the following find-
2 ings:

3 (1) On August 24, 1991, Ukraine became a
4 free and independent country after declaring its
5 independence from the Soviet Union.

6 (2) The Russian Federation is required to re-
7 spect the independence, sovereignty, and territorial
8 integrity of Ukraine through its signed commitments
9 to the 1994 Budapest Memorandum, the 1975 Hel-
10 sinki Accords, and the Charter of the United Na-
11 tions.

12 (3) On February 8, 1994, Ukraine was among
13 the first post-Soviet states to join the North Atlantic
14 Treaty Organization’s Partnership for Peace, and
15 Ukraine subsequently participated in numerous
16 North Atlantic Treaty Organization-led security as-
17 sistance, peacekeeping, counterterror, and maritime
18 initiatives.

19 (4) The North Atlantic Treaty Organization
20 and Ukraine have continuously deepened their co-
21 operation through the establishment of—

22 (A) the North Atlantic Treaty Organiza-
23 tion-Ukraine Charter on a Distinctive Partner-
24 ship and the North Atlantic Treaty Organiza-
25 tion-Ukraine Commission in 1997;

1 (B) the North Atlantic Treaty Organiza-
2 tion-Ukraine Joint Working Group on Defense
3 Reform in 1998; and

4 (C) the North Atlantic Treaty Organiza-
5 tion-Ukraine Action Plan in 2002.

6 (5) In the Bucharest Summit Declaration of
7 April 2008, heads of state and governments of
8 North Atlantic Treaty Organization member coun-
9 tries declared, “NATO welcomes Ukraine’s and
10 Georgia’s Euro-Atlantic aspirations for membership
11 in NATO. We agreed today that these countries will
12 become members of NATO.”.

13 (6) Beginning on November 21, 2013, and end-
14 ing on February 22, 2014, during a period that be-
15 came known as the Revolution of Dignity, the people
16 of Ukraine peacefully protested the decision of then
17 President Viktor Yanukovich to suspend the signing
18 of the Ukraine-European Union Association Agree-
19 ment, resulting in the unanimous removal from of-
20 fice of Yanukovich by the Verkhovna Rada.

21 (7) On May 25, 2014, Peter Poroshenko was
22 elected democratically to become the President of
23 Ukraine based on a pro-European Union and pro-
24 North Atlantic Treaty Organization platform, which

1 laid the foundation for progress on the European
2 Union Association Agreement.

3 (8) In response to Ukraine’s Revolution of Dig-
4 nity, the Russian Federation launched an overt and
5 covert military campaign against Ukraine, illegally
6 occupied Ukraine’s Crimean Peninsula, and insti-
7 gated war in eastern Ukraine, resulting in the
8 deaths of approximately 14,000 Ukrainians.

9 (9) The Russian Federation’s invasion and ille-
10 gal occupation of the Crimean Peninsula and in-
11 stigation of conflict in eastern Ukraine in 2014 was
12 widely viewed as an effort to stifle pro-democracy
13 and pro-Western developments across Ukraine in the
14 wake of the Revolution of Dignity.

15 (10) At the 2014 Wales Summit, the North At-
16 lantic Treaty Organization adopted the Enhanced
17 Opportunities Partnership Program as a component
18 of the North Atlantic Treaty Organization Partner-
19 ship Interoperability Initiative, which would “encour-
20 age, facilitate, and sustain” Ukraine’s contributions
21 to the North Atlantic Treaty Organization.

22 (11) In 2016, as a result of the Warsaw Sum-
23 mit, the North Atlantic Treaty Organization pledged
24 additional training and technical support for the
25 military forces of Ukraine and endorsed a com-

1 prehensive assistance package that included “tai-
2 lored capability and capacity building measures . . .
3 to enhance Ukraine’s resilience against a wide array
4 of threats, including hybrid threats”.

5 (12) In 2017, in the face of continued Russian
6 Federation aggression in the eastern region of
7 Ukraine and the continued occupation of Crimea,
8 the Government of Ukraine rejected cooperation
9 with the Russian Federation and voted to make co-
10 operation with the North Atlantic Treaty Organiza-
11 tion a foreign policy priority.

12 (13) On September 1, 2017, the Ukraine-Euro-
13 pean Union Association Agreement entered into
14 force.

15 (14) On April 21, 2019, the new president of
16 Ukraine, Volodymyr Zelenskyy—

17 (A) reaffirmed to European Union and
18 North Atlantic Treaty Organization leaders
19 that Ukraine’s strategic course was to achieve
20 full membership in the European Union and the
21 North Atlantic Treaty Organization; and

22 (B) championed the adoption of an amend-
23 ment to the Constitution of Ukraine declaring
24 that the Government of Ukraine is responsible
25 for implementing such strategic course toward

1 membership in the European Union and the
2 North Atlantic Treaty Organization.

3 (15) In January 2020, the Government of
4 Ukraine requested that the North Atlantic Treaty
5 Organization grant Ukraine the status of an En-
6 hanced Opportunities Partner.

7 (16) Since Ukraine's Revolution of Dignity and
8 in recognition of the United States-Ukraine strategic
9 partnership, the United States has—

10 (A) provided Ukraine with more than
11 \$1,600,000,000 in security assistance, including
12 critical defense items;

13 (B) collaborated closely with the military
14 forces of Ukraine; and

15 (C) imposed strong sanctions on the Rus-
16 sian Federation in response to continued Rus-
17 sian Federation aggression in Ukraine.

18 (17) On June 12, 2020, the North Atlantic
19 Treaty Organization welcomed Ukraine into the En-
20 hanced Opportunities Partnership program, joining
21 Australia, Finland, Sweden, Georgia, and Jordan.

22 (c) SENSE OF SENATE.—It is the sense of the Senate
23 that the Senate—

24 (1) applauds the progress of Ukraine and the
25 Revolution of Dignity with respect to strengthening

1 the rule of law and combating corruption, aligning
2 with Euro-Atlantic norms and standards, and im-
3 proving Ukraine’s military combat readiness and
4 interoperability with the North Atlantic Treaty Or-
5 ganization;

6 (2) affirms the unwavering commitment of the
7 United States to—

8 (A) supporting the continued efforts of
9 Ukraine to implement democratic and free mar-
10 ket reforms;

11 (B) restoring the territorial integrity of
12 Ukraine; and

13 (C) providing additional lethal and non-
14 lethal security assistance to strengthen the de-
15 fense capabilities of Ukraine and to deter fur-
16 ther Russian Federation aggression;

17 (3) condemns the Russian Federation’s ongoing
18 use of force and other malign activities against
19 Ukraine and renews its call on the Government of
20 the Russian Federation to immediately cease all ac-
21 tivities that seek to undermine Ukraine and desta-
22 bilize Europe; and

23 (4) congratulates Ukraine on its inclusion in
24 the North Atlantic Treaty Organization Enhanced
25 Opportunities Partnership program and on the es-

1 tablishment of a roadmap to full NATO accession
2 for Ukraine.

3 **Subtitle E—Matters Relating to the**
4 **Indo-Pacific Region**

5 **SEC. 6251. PILOT PROGRAM TO IMPROVE CYBER COOPERA-**
6 **TION WITH VIETNAM, THAILAND, AND INDO-**
7 **NESIA.**

8 (a) IN GENERAL.—The Secretary of Defense, in con-
9 sultation with the Secretary of State, may establish a pilot
10 program in Vietnam, Thailand, and Indonesia—

11 (1) to enhance the cyber security, resilience,
12 and readiness of Vietnam, Thailand, and Indonesia;
13 and

14 (2) to increase regional cooperation between the
15 United States and Vietnam, Thailand, and Indonesia
16 on cyber issues.

17 (b) ELEMENTS.—The activities of the pilot program
18 under subsection (a) shall include the following:

19 (1) Provision of training to cybersecurity and
20 computer science professionals in Vietnam, Thai-
21 land, and Indonesia.

22 (2) An expansion of the capacity of organiza-
23 tions involved in the training of such cybersecurity
24 and computer science professionals.

1 (3) The facilitation of regular policy dialogues
2 between and among the United States Government
3 and the governments of Vietnam, Thailand, and In-
4 donesia with respect to the development of infra-
5 structure to protect against cyber attacks.

6 (4) An evaluation of legal and other barriers to
7 reforms relevant to cybersecurity and technology in
8 Vietnam, Thailand, and Indonesia.

9 (5) A feasibility study on establishing a public-
10 private partnership to build cloud-computing capac-
11 ity in Vietnam, Thailand, and Indonesia and in
12 Southeast Asia more broadly.

13 (6) The development of cooperative exercises, to
14 be carried out in future years, to enhance collabora-
15 tion between the United States Government and the
16 governments of Vietnam, Thailand, and Indonesia.

17 (c) FUNDING.—The Secretary of Defense may enter
18 into cooperative agreements with entities that receive
19 funds under section 211 of the Vietnam Education Foun-
20 dation Act of 2000 (title II of division B of H.R. 5666,
21 as enacted by section 1(a)(4) of Public Law 106–554 and
22 contained in appendix D of that Act; 114 Stat. 2763A–
23 254; 22 U.S.C. 2452 note), as added by section 7085 of
24 the Consolidated and Further Appropriations Act, 2015

1 (Public Law 113–235; 128 Stat. 2685), to carry out the
2 pilot program under subsection (a).

3 (d) REPORTS.—

4 (1) DESIGN OF PILOT PROGRAM.—Not later
5 than June 1, 2021, the Secretary of Defense, in con-
6 sultation with the Secretary of State, shall submit to
7 the appropriate committees of Congress a report on
8 the design of the pilot program under subsection (a).

9 (2) PROGRESS REPORT.—Not later than De-
10 cember 31, 2021, the Secretary of Defense, in con-
11 sultation with the Secretary of State, shall submit to
12 the appropriate committees of Congress a report on
13 the pilot program under subsection (a) that in-
14 cludes—

15 (A) a description of the activities con-
16 ducted and the results of such activities; and

17 (B) an assessment of legal and other bar-
18 riers to reforms relevant to cybersecurity and
19 technology in Vietnam, Thailand, and Indo-
20 nesia.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated \$5,000,000 for fiscal year
23 2021 to carry out this section.

24 (f) OFFSET.—The amount authorized to be appro-
25 priated by this Act for operation and maintenance, Navy,

1 and available for SAG 1CCS for military information sup-
2 port operations, is hereby reduced by \$5,000,000.

3 (g) APPROPRIATE COMMITTEES OF CONGRESS DE-
4 FINED.—In this section, the term “appropriate commit-
5 tees of Congress” means—

6 (1) the Committee on Armed Services and the
7 Committee on Foreign Relations of the Senate; and

8 (2) the Committee on Armed Services and the
9 Committee on Foreign Affairs of the House of Rep-
10 resentatives.

11 **Subtitle F—Reports**

12 **SEC. 6273. REPORT ON RISK TO PERSONNEL, EQUIPMENT,**
13 **AND OPERATIONS DUE TO HUAWEI 5G ARCHI-**
14 **TECTURE IN HOST COUNTRIES.**

15 Section 1273 shall have no force or effect.

16 **Subtitle G—Other Matters**

17 **SEC. 6281. COMPARATIVE STUDIES ON DEFENSE BUDGET**
18 **TRANSPARENCY OF THE PEOPLE’S REPUBLIC**
19 **OF CHINA, THE RUSSIAN FEDERATION, AND**
20 **THE UNITED STATES.**

21 (a) STUDIES REQUIRED.—

22 (1) DEPARTMENT OF DEFENSE STUDY.—Not
23 later than 270 days after the date of the enactment
24 of this Act, the Secretary of Defense, acting through
25 the Director of the Defense Intelligence Agency, in

1 consultation with the Under Secretary of Defense
2 (Comptroller), the Director of the Office of Cost As-
3 sessment and Program Evaluation, the Director of
4 the Office of Net Assessment, the Assistant Sec-
5 retary of Defense for Indo-Pacific Security Affairs,
6 and the Assistant Secretary of Defense for Inter-
7 national Security Affairs, shall complete a compara-
8 tive study on the defense budgets of the People's Re-
9 public of China, the Russian Federation, and the
10 United States.

11 (2) INDEPENDENT STUDY.—

12 (A) IN GENERAL.—Not later than 90 days
13 after the date of the enactment of this Act, the
14 Secretary of Defense shall offer to enter into an
15 agreement with not more than two entities
16 independent of the Department to conduct a
17 comparative study on the defense budgets of
18 the People's Republic of China, the Russian
19 Federation, and the United States, to be com-
20 pleted not later than 270 days after the date of
21 the enactment of this Act.

22 (B) FEDERALLY FUNDED RESEARCH AND
23 DEVELOPMENT CENTER.—Not fewer than one
24 entity described in subparagraph (A) shall be a

1 federally funded research and development cen-
2 ter.

3 (b) GOAL.—The goal of the studies required by sub-
4 section (a) shall be to develop a methodologically sound
5 set of assumptions to underpin a comparison of the de-
6 fense spending of the People’s Republic of China, the Rus-
7 sian Federation, and the United States.

8 (c) ELEMENTS.—Each study required by subsection
9 (a) shall do the following:

10 (1) Develop consistent functional categories for
11 spending, including—

12 (A) defense-related research and develop-
13 ment;

14 (B) weapons procurement;

15 (C) operations and maintenance; and

16 (D) pay and benefits.

17 (2) Consider the effects of purchasing power
18 parity and market exchange rates, particularly on
19 nontraded goods.

20 (3) Consider differences in the relative prices of
21 goods and labor within each subject country.

22 (4) Compare the costs of labor and benefits for
23 the defense workforce of each subject country.

1 (5) Account for discrepancies in the manner in
2 which each subject country accounts for certain
3 functional types of defense-related spending.

4 (6) Explicitly estimate the magnitude of omit-
5 ted spending from official defense budget informa-
6 tion.

7 (7) Evaluate the adequacy of the United Na-
8 tions database on military expenditures.

9 (8) Exclude spending related to veterans' bene-
10 fits.

11 (d) REPORT.—Not later than 30 days after the date
12 on which the studies required by subsection (a) are com-
13 pleted, the Secretary of Defense shall submit to the Com-
14 mittees on Armed Services of the Senate and the House
15 of Representatives a report on the results of each study,
16 together with the views of the Secretary on each study.

17 (e) FORM.—The report required by subsection (d)
18 shall be submitted in unclassified form, but may include
19 a classified annex.

1 **SEC. 6282. MODIFICATION TO INITIATIVE TO SUPPORT PRO-**
2 **TECTION OF NATIONAL SECURITY ACADEMIC**
3 **RESEARCHERS FROM UNDUE INFLUENCE**
4 **AND OTHER SECURITY THREATS.**

5 Section 1286 of the John S. McCain National De-
6 fense Authorization Act for Fiscal Year 2019 (10 U.S.C.
7 2358 note) is amended—

8 (1) by redesignating subsection (f) as sub-
9 section (g); and

10 (2) by adding after subsection (e) the following
11 new subsection (f):

12 “(f) DESIGNATION OF ACADEMIC LIAISON.—

13 “(1) IN GENERAL.—Not later than 180 days
14 after the date of the enactment of the National De-
15 fense Authorization Act for Fiscal Year 2021, the
16 Secretary, acting through the Under Secretary of
17 Defense for Research and Engineering, shall des-
18 ignate an academic liaison with principal responsi-
19 bility for working with the academic community to
20 protect Department-sponsored academic research of
21 concern from undue foreign influence.

22 “(2) QUALIFICATION.—The Secretary shall des-
23 ignate an individual under paragraph (1) who is an
24 official of the Office of the Under Secretary of De-
25 fense for Research and Engineering.

1 “(3) DUTIES.—The duties of the academic liaison
2 son designated under paragraph (1) shall be as follows:
3 lows:

4 “(A) To serve as the liaison of the Department
5 with the academic community.

6 “(B) To conduct annual outreach and education
7 activities for the academic community on
8 undue foreign influence and threats to Department-sponsored
9 academic research of concern.

10 “(C) To coordinate and align academic security
11 policies with Department component
12 agencies, the Office of Science and Technology
13 Policy, the intelligence community, Federal
14 science agencies, and Federal regulatory agencies,
15 including agencies involved in export controls.
16 trolls.

17 “(D) To the extent practicable, to coordinate
18 on an annual basis with the intelligence
19 community to share, not less frequently than
20 annually, with the academic community unclassified
21 information, including counterintelligence
22 information, on threats from undue foreign influence.
23 fluence.

24 “(E) Any other related responsibility, as
25 determined by the Secretary in consultation

1 with the Under Secretary of Defense for Re-
2 search and Engineering.

3 “(F) Any other duty, as determined by the
4 Secretary.”.

5 **SEC. 6283. SENSE OF SENATE ON UNITED STATES-ISRAEL**
6 **COOPERATION ON PRECISION-GUIDED MUNI-**
7 **TIONS.**

8 It is the sense of the Senate that—

9 (1) the Department of Defense has cooperated
10 extensively with Israel to assist in the procurement
11 of precision-guided munitions, and such cooperation
12 represents an important example of robust United
13 States support for Israel;

14 (2) to the extent practicable, the Secretary of
15 Defense should take further measures to expedite
16 deliveries of precision-guided munitions to Israel;
17 and

18 (3) regularized annual purchases of precision-
19 guided munitions by Israel, in accordance with exist-
20 ing requirements and practices regarding the export
21 of defense articles and defense services, coordinated
22 with the United States Air Force annual purchase of
23 precision-guided munitions, would enhance the secu-
24 rity of both the United States and Israel by—

1 (A) promoting a more efficient use of de-
2 fense resources by taking advantage of econo-
3 mies of scale;

4 (B) enabling the United States and Israel
5 to address crisis requirements for precision-
6 guided munitions in a timely and flexible man-
7 ner; and

8 (C) encouraging the defense industrial
9 base to maintain routine production lines of
10 precision-guided munitions.

11 **SEC. 6284. BLOCKING DEADLY FENTANYL IMPORTS.**

12 (a) **SHORT TITLE.**—This section may be cited as the
13 “Blocking Deadly Fentanyl Imports Act”.

14 (b) **DEFINITIONS.**—Section 481(e) of the Foreign As-
15 sistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

16 (1) in paragraph (2)—

17 (A) in the matter preceding subparagraph
18 (A), by striking “in which”;

19 (B) in subparagraph (A), by inserting “in
20 which” before “1,000”;

21 (C) in subparagraph (B)—

22 (i) by inserting “in which” before
23 “1,000”; and

24 (ii) by striking “or” at the end;

25 (D) in subparagraph (C)—

1 (i) by inserting “in which” before
2 “5,000”; and

3 (ii) by inserting “or” after the semi-
4 colon; and

5 (E) by adding at the end the following:

6 “(D) that is a significant source of illicit
7 synthetic opioids significantly affecting the
8 United States;” and

9 (2) in paragraph (4)—

10 (A) in subparagraph (C), by striking
11 “and” at the end;

12 (B) in subparagraph (D), by adding “and”
13 at the end; and

14 (C) by adding at the end the following:

15 “(E) assistance that furthers the objectives
16 set forth in paragraphs (1) through (4) of sec-
17 tion 664(b) of the Foreign Relations Authoriza-
18 tion Act, Fiscal Year 2003 (22 U.S.C. 2151n-
19 2(b));

20 “(F) assistance to combat trafficking au-
21 thorized under the Victims of Trafficking and
22 Violence Protection Act of 2000 (22 U.S.C.
23 7101 et seq.); and

24 “(G) global health assistance authorized
25 under sections 104 through 104C of the For-

1 eign Assistance Act of 1961 (22 U.S.C. 2151b
2 through 22 U.S.C. 2151b-4).”.

3 (c) INTERNATIONAL NARCOTICS CONTROL STRAT-
4 EGY REPORT.—Section 489(a) of the Foreign Assistance
5 Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding
6 at the end the following:

7 “(9) A separate section that contains the fol-
8 lowing:

9 “(A) An identification of the countries, to
10 the extent feasible, that are the most significant
11 sources of illicit fentanyl and fentanyl analogues
12 significantly affecting the United States during
13 the preceding calendar year.

14 “(B) A description of the extent to which
15 each country identified pursuant to subpara-
16 graph (A) has cooperated with the United
17 States to prevent the articles or chemicals de-
18 scribed in subparagraph (A) from being ex-
19 ported from such country to the United States.

20 “(C) A description of whether each country
21 identified pursuant to subparagraph (A) has
22 adopted and utilizes scheduling or other proce-
23 dures for illicit drugs that are similar in effect
24 to the procedures authorized under title II of
25 the Controlled Substances Act (21 U.S.C. 811

1 et seq.) for adding drugs and other substances
2 to the controlled substances schedules;

3 “(D) A description of whether each coun-
4 try identified pursuant to subparagraph (A) is
5 following steps to prosecute individuals involved
6 in the illicit manufacture or distribution of con-
7 trolled substance analogues (as defined in sec-
8 tion 102(32) of the Controlled Substances Act
9 (21 U.S.C. 802(32)); and

10 “(E) A description of whether each coun-
11 try identified pursuant to subparagraph (A) re-
12 quires the registration of tableting machines
13 and encapsulating machines or other measures
14 similar in effect to the registration require-
15 ments set forth in part 1310 of title 21, Code
16 of Federal Regulations, and has not made good
17 faith efforts, in the opinion of the Secretary, to
18 improve regulation of tableting machines and
19 encapsulating machines.”.

20 (d) WITHHOLDING OF BILATERAL AND MULTILAT-
21 ERAL ASSISTANCE.—

22 (1) IN GENERAL.—Section 490(a) of the For-
23 eign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is
24 amended—

1 (A) in paragraph (1), by striking “or coun-
2 try identified pursuant to clause (i) or (ii) of
3 section 489(a)(8)(A) of this Act” and inserting
4 “country identified pursuant to section
5 489(a)(8)(A), or country thrice identified dur-
6 ing a 5-year period pursuant to section
7 489(a)(9)(A)”;

8 (B) in paragraph (2), by striking “or
9 major drug-transit country (as determined
10 under subsection (h)) or country identified pur-
11 suant to clause (i) or (ii) of section
12 489(a)(8)(A) of this Act” and inserting “,
13 major drug-transit country, country identified
14 pursuant to section 489(a)(8)(A), or country
15 thrice identified during a 5-year period pursu-
16 ant to section 489(a)(9)(A)”.

17 (2) DESIGNATION OF ILLICIT FENTANYL COUN-
18 TRIES WITHOUT SCHEDULING PROCEDURES.—Sec-
19 tion 706(2) of the Foreign Relations Authorization
20 Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)) is
21 amended—

22 (A) in the matter preceding subparagraph
23 (A), by striking “also”;

24 (B) in subparagraph (A)(ii), by striking
25 “and” at the end;

1 (C) by redesignating subparagraph (B) as
2 subparagraph (D);

3 (D) by inserting after subparagraph (A)
4 the following:

5 “(B) designate each country, if any, identi-
6 fied under section 489(a)(9) of the Foreign As-
7 sistance Act of 1961 (22 U.S.C. 2291h(a)(9))
8 that has failed to adopt and utilize scheduling
9 procedures for illicit drugs that are comparable
10 to the procedures authorized under title II of
11 the Controlled Substances Act (21 U.S.C. 811
12 et seq.) for adding drugs and other substances
13 to the controlled substances schedules;” and

14 (E) in subparagraph (D), as redesignated,
15 by striking “so designated” and inserting “des-
16 igned under subparagraph (A), (B), or (C)”.

17 (3) DESIGNATION OF ILLICIT FENTANYL COUN-
18 TRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS
19 FOR THE MANUFACTURE OR DISTRIBUTION OF
20 FENTANYL ANALOGUES.—Section 706(2) of the For-
21 eign Relations Authorization Act, Fiscal Year 2003
22 (22 U.S.C. 2291j–1(2)), as amended by paragraph
23 (2), is further amended by inserting after subpara-
24 graph (B) the following:

1 “(C) designate each country, if any, identi-
2 fied under section 489(a)(9) of the Foreign As-
3 sistance Act of 1961 (22 U.S.C. 2291h(a)(9))
4 that has not taken significant steps to pros-
5 ecute individuals involved in the illicit manufac-
6 ture or distribution of controlled substance ana-
7 logues (as defined in section 102(32) of the
8 Controlled Substances Act (21 U.S.C.
9 802(32));”.

10 (4) LIMITATION ON ASSISTANCE FOR DES-
11 IGNATED COUNTRIES.—Section 706(3) of the For-
12 eign Relations Authorization Act, Fiscal Year 2003
13 (22 U.S.C. 2291j–1(3)) is amended by striking “also
14 designated under paragraph (2) in the report” and
15 inserting “designated in the report under paragraph
16 (2)(A) or thrice designated during a 5-year period in
17 the report under subparagraph (B) or (C) of para-
18 graph (2)”.

19 (5) EXCEPTION TO THE LIMITATION ON ASSIST-
20 ANCE.—Section 706(5) of the Foreign Relations Au-
21 thorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–
22 1(5)) is amended—

23 (A) by redesignating subparagraph (C) as
24 subparagraph (F);

1 (B) by inserting after subparagraph (B)
2 the following:

3 “(C) Notwithstanding paragraph (3), as-
4 sistance to promote democracy (as described in
5 section 481(e)(4)(E) of the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2291(e)(4)(E))) shall
7 be provided to countries identified in a report
8 under paragraph (1) and designated under sub-
9 paragraph (B) or (C) of paragraph (2), to the
10 extent such countries are otherwise eligible for
11 such assistance, regardless of whether the
12 President reports to the appropriate congres-
13 sional committees in accordance with such para-
14 graph.

15 “(D) Notwithstanding paragraph (3), as-
16 sistance to combat trafficking (as described in
17 section 481(e)(4)(F) of such Act) shall be pro-
18 vided to countries identified in a report under
19 paragraph (1) and designated under subpara-
20 graph (B) or (C) of paragraph (2), to the ex-
21 tent such countries are otherwise eligible for
22 such assistance, regardless of whether the
23 President reports to the appropriate congres-
24 sional committees in accordance with such para-
25 graph.

1 **Subtitle H—United States-Israel**
2 **Security Assistance**

3 **SEC. 6290. SHORT TITLE.**

4 This subtitle may be cited as the “United States-
5 Israel Security Assistance Authorization Act of 2020”.

6 **SEC. 6290A. DEFINITION.**

7 In this subtitle, the term “appropriate congressional
8 committees” means—

9 (1) the Committee on Foreign Relations of the
10 Senate;

11 (2) the Committee on Armed Services of the
12 Senate;

13 (3) the Committee on Foreign Affairs of the
14 House of Representatives; and

15 (4) the Committee on Armed Services of the
16 House of Representatives.

17 **CHAPTER 1—SECURITY ASSISTANCE FOR**
18 **ISRAEL**

19 **SEC. 6291. FINDINGS.**

20 Congress makes the following findings:

21 (1) On September 14, 2016, the United States
22 and Israel signed a 10-year Memorandum of Under-
23 standing to reaffirm the importance of continuing
24 annual United States military assistance to Israel
25 and cooperative missile defense programs in a way

1 that enhances Israel’s security and strengthens the
2 bilateral relationship between the 2 countries.

3 (2) The 2016 Memorandum of Understanding
4 reflects United States support of Foreign Military
5 Financing grant assistance to Israel over a 10-year
6 period beginning in fiscal year 2019 and ending in
7 fiscal year 2028.

8 (3) The 2016 Memorandum of Understanding
9 also reflects United States support for funding for
10 cooperative programs to develop, produce, and pro-
11 cure missile, rocket, and projectile defense capabili-
12 ties during such 10-year period at an average fund-
13 ing level of \$500,000,000 per year, totaling
14 \$5,000,000,000 for such period.

15 **SEC. 6292. STATEMENT OF POLICY.**

16 It is the policy of the United States to provide assist-
17 ance to the Government of Israel for the development and
18 acquisition of advanced capabilities that Israel requires to
19 meet its security needs and to enhance United States ca-
20 pabilities.

21 **SEC. 6293. SECURITY ASSISTANCE FOR ISRAEL.**

22 Section 513(c) of the Security Assistance Act of 2000
23 (Public Law 106–280; 114 Stat. 856) is amended—

1 (1) in paragraph (1), by striking “2002 and
2 2003” and inserting “2021, 2022, 2023, 2024,
3 2025, 2026, 2027, and 2028”;

4 (2) in paragraph (2), by striking “equal to—”
5 and all that follows and inserting “not less than
6 \$3,300,000,000.”; and

7 (3) by amending paragraph (3) to read as fol-
8 lows:

9 “(3) DISBURSEMENT OF FUNDS.—Amounts au-
10 thorized to be available for Israel under paragraph
11 (1) and subsection (b)(1) for fiscal years 2021,
12 2022, 2023, 2024, 2025, 2026, 2027, and 2028
13 shall be disbursed not later than 30 days after the
14 date of the enactment of an Act making appropria-
15 tions for the Department of State, foreign oper-
16 ations, and related programs for the respective fiscal
17 year, or October 31 of the respective fiscal year,
18 whichever is later.”.

19 **SEC. 6294. EXTENSION OF WAR RESERVES STOCKPILE AU-**
20 **THORITY.**

21 (a) DEPARTMENT OF DEFENSE APPROPRIATIONS
22 ACT, 2005.—Section 12001(d) of the Department of De-
23 fense Appropriations Act, 2005 (Public Law 108–287;
24 118 Stat. 1011) is amended by striking “September 30,
25 2020” and inserting “after September 30, 2025”.

1 (b) FOREIGN ASSISTANCE ACT OF 1961.—Section
2 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22
3 U.S.C. 2321h(b)(2)(A)) is amended by striking “2013,
4 2014, 2015, 2016, 2017, 2018, 2019, and 2020” and in-
5 serting “2021, 2022, 2023, 2024, and 2025”.

6 **SEC. 6295. EXTENSION OF LOAN GUARANTEES TO ISRAEL.**

7 Chapter 5 of title I of the Emergency Wartime Sup-
8 plemental Appropriations Act, 2003 (Public Law 108–11;
9 117 Stat. 576) is amended under the heading “LOAN
10 GUARANTEES TO ISRAEL”—

11 (1) in the matter preceding the first proviso, by
12 striking “September 30, 2023” and inserting “Sep-
13 tember 30, 2025”; and

14 (2) in the second proviso, by striking “Sep-
15 tember 30, 2023” and inserting “September 30,
16 2025”.

17 **SEC. 6296. TRANSFER OF PRECISION GUIDED MUNITIONS**
18 **TO ISRAEL.**

19 (a) IN GENERAL.—Notwithstanding section 514 of
20 the Foreign Assistance Act of 1961 (22 U.S.C. 2321h),
21 the President is authorized to transfer to Israel precision
22 guided munitions from reserve stocks for Israel in such
23 quantities as may be necessary for legitimate self-defense
24 of Israel and is otherwise consistent with the purposes and

1 conditions for such transfers under the Arms Export Con-
2 trol Act (22 U.S.C. 2751 et seq.).

3 (b) CERTIFICATIONS.—Except in case of emergency,
4 as determined by the President, not later than 5 days be-
5 fore making a transfer under subsection (a), the President
6 shall certify to the appropriate congressional committees
7 that the transfer of the precision guided munitions—

8 (1) does not affect the ability of the United
9 States to maintain a sufficient supply of precision
10 guided munitions;

11 (2) does not harm the combat readiness of the
12 United States or the ability of the United States to
13 meet its commitment to allies for the transfer of
14 such munitions;

15 (3) is necessary for Israel to counter the threat
16 of rockets in a timely fashion; and

17 (4) is in the national security interest of the
18 United States.

19 **SEC. 6297. SENSE OF CONGRESS ON RAPID ACQUISITION**
20 **AND DEPLOYMENT PROCEDURES.**

21 It is the sense of Congress that the President
22 should—

23 (1) prescribe procedures for the rapid acquisi-
24 tion and deployment of precision guided munitions
25 for United States counterterrorism missions; or

1 (2) assist Israel, which is an ally of the United
2 States, to protect itself against direct missile
3 threats.

4 **SEC. 6298. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC**
5 **TRADE AUTHORIZATION EXCEPTION TO CER-**
6 **TAIN EXPORT CONTROL LICENSING RE-**
7 **QUIREMENTS.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) Israel has adopted high standards in the
10 field of weapons export controls.

11 (2) Israel has declared its unilateral adherence
12 to the Missile Technology Control Regime, the Aus-
13 tralia Group, and the Nuclear Suppliers Group.

14 (3) Israel is a party to—

15 (A) the Protocol for the Prohibition of the
16 Use in War of Asphyxiating, Poisonous or
17 Other Gases, and of Bacteriological Methods of
18 Warfare, signed at Geneva June 17, 1925
19 (commonly known as the “Geneva Protocol”);

20 (B) the Convention on the Physical Protec-
21 tion of Nuclear Material, signed at Vienna and
22 New York March 3, 1980; and

23 (C) the Convention on Prohibitions or Re-
24 strictions on the Use of Certain Conventional
25 Weapons Which may be Deemed to be Exces-

1 sively Injurious or to Have Indiscriminate Ef-
2 fects, signed at Geneva October 10, 1980.

3 (4) Section 6(b) of the United States-Israel
4 Strategic Partnership Act of 2014 (22 U.S.C. 8603
5 note) directs the President, consistent with the com-
6 mitments of the United States under international
7 agreements, to take steps so that Israel may be in-
8 cluded in the list of countries eligible for the stra-
9 tegic trade authorization exception under section
10 740.20(c)(1) of title 15, Code of Federal Regula-
11 tions, to the requirement for a license for the export,
12 re-export, or in-country transfer of an item subject
13 to controls under the Export Administration Regula-
14 tions.

15 (b) BRIEFING ON ELIGIBILITY FOR STRATEGIC
16 TRADE AUTHORIZATION EXCEPTION.—Not later than
17 120 days after the date of the enactment of this Act, the
18 President shall brief the appropriate congressional com-
19 mittees by describing the steps taken to include Israel in
20 the list of countries eligible for the strategic trade author-
21 ization exception under section 740.20(c)(1) of title 15,
22 Code of Federal Regulations, as required under section
23 6(b) of the United States-Israel Strategic Partnership Act
24 of 2014 (Public Law 113–296).

1 **CHAPTER 2—ENHANCED UNITED STATES-**
2 **ISRAEL COOPERATION**

3 **SEC. 6299. UNITED STATES AGENCY FOR INTERNATIONAL**
4 **DEVELOPMENT MEMORANDA OF UNDER-**
5 **STANDING TO ENHANCE COOPERATION WITH**
6 **ISRAEL.**

7 (a) FINDINGS.—Congress finds that the United
8 States Agency for International Development and Israel’s
9 Agency for International Development Cooperation signed
10 memoranda of understanding in 2012, 2017, and 2019 to
11 coordinate the agencies’ respective efforts to promote com-
12 mon development goals in third countries.

13 (b) SENSE OF CONGRESS REGARDING USAID POL-
14 ICY.—It is the sense of Congress that the Department of
15 State and the United States Agency for International De-
16 velopment should continue to cooperate with Israel to ad-
17 vance common development goals in third countries across
18 a wide variety of sectors, including energy, agriculture,
19 food security, democracy, human rights, governance, eco-
20 nomic growth, trade, education, environment, global
21 health, water, and sanitation.

22 (c) MEMORANDA OF UNDERSTANDING.—The Sec-
23 retary of State, acting through the Administrator of the
24 United States Agency for International Development, may
25 enter into memoranda of understanding with Israel to ad-

1 vance common goals on energy, agriculture, food security,
2 democracy, human rights, governance, economic growth,
3 trade, education, environment, global health, water, and
4 sanitation, with a focus on strengthening mutual ties and
5 cooperation with nations throughout the world.

6 **SEC. 6299A. COOPERATIVE PROJECTS AMONG THE UNITED**
7 **STATES, ISRAEL, AND DEVELOPING COUN-**
8 **TRIES.**

9 Section 106 of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2151d) is amended by striking subsections (e)
11 and (f) and inserting the following:

12 “(e) There are authorized to be appropriated
13 \$2,000,000 for each of the fiscal years 2021 through 2025
14 to finance cooperative projects among the United States,
15 Israel, and developing countries that identify and support
16 local solutions to address sustainability challenges relating
17 to water resources, agriculture, and energy storage, in-
18 cluding—

19 “(1) establishing public-private partnerships;

20 “(2) supporting the identification, research, de-
21 velopment testing, and scaling of innovations that
22 focus on populations that are vulnerable to environ-
23 mental and resource-scarcity crises, such as subsist-
24 ence farming communities;

25 “(3) seed or transition-to-scale funding;

1 “(4) clear and appropriate branding and mark-
2 ing of United States funded assistance, in accord-
3 ance with section 641; and

4 “(5) accelerating demonstrations or applications
5 of local solutions to sustainability challenges, or the
6 further refinement, testing, or implementation of in-
7 novations that have previously effectively addressed
8 sustainability challenges.

9 “(f) Amounts appropriated pursuant to subsection (e)
10 shall be obligated in accordance with the memoranda of
11 understanding referred to in subsections (a) and (c) of sec-
12 tion 6299 of the United States-Israel Security Assistance
13 Authorization Act of 2020”.

14 **SEC. 6299B. JOINT COOPERATIVE PROGRAM RELATED TO**
15 **INNOVATION AND HIGH-TECH FOR THE MID-**
16 **DLE EAST REGION.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the United States should help foster co-
20 operation in the Middle East region by financing
21 and, as appropriate, cooperating in projects related
22 to innovation and advanced technologies; and

23 (2) projects referred to in paragraph (1)
24 should—

1 (A) contribute to development and the
2 quality of life in the Middle East region
3 through the application of research and ad-
4 vanced technology; and

5 (B) contribute to Arab-Israeli cooperation
6 by establishing strong working relationships
7 that last beyond the life of such projects.

8 (b) ESTABLISHMENT.—The Secretary of State, act-
9 ing through the Administrator of the United States Agen-
10 cy for International Development, is authorized to seek to
11 establish a program between the United States and appro-
12 priate regional partners to provide for cooperation in the
13 Middle East region by supporting projects related to inno-
14 vation and advanced technologies.

15 (c) PROJECT REQUIREMENTS.—Each project carried
16 out under the program established pursuant to subsection
17 (b)—

18 (1) shall include the participation of at least 1
19 entity from Israel and 1 entity from another regional
20 partner; and

21 (2) shall be conducted in a manner that appro-
22 priately protects sensitive information, intellectual
23 property, the national security interests of the
24 United States, and the national security interests of
25 Israel.

1 **SEC. 6299C. SENSE OF CONGRESS ON UNITED STATES-**
2 **ISRAEL ECONOMIC COOPERATION.**

3 It is the sense of Congress that—

4 (1) the United States-Israel economic partner-
5 ship—

6 (A) has achieved great tangible and intan-
7 gible benefits to both countries; and

8 (B) is a foundational component of the
9 strong alliance;

10 (2) science and technology innovations present
11 promising new frontiers for United States-Israel eco-
12 nomic cooperation, particularly in light of wide-
13 spread drought, cybersecurity attacks, and other
14 major challenges impacting the United States; and

15 (3) the President should regularize and expand
16 existing forums of economic dialogue with Israel and
17 foster both public and private sector participation.

18 **SEC. 6299D. COOPERATION ON DIRECTED ENERGY CAPA-**
19 **BILITIES.**

20 (a) **AUTHORITY.**—

21 (1) **IN GENERAL.**—The Secretary of Defense,
22 with the concurrence of the Secretary of State, is
23 authorized to carry out research, development, test,
24 and evaluation activities, on a joint basis with Israel,
25 to establish directed energy capabilities that address
26 threats to the United States, deployed forces of the

1 United States, or Israel. Any activities carried out
2 under this paragraph shall be conducted in a man-
3 ner that appropriately protects sensitive information,
4 intellectual property, the national security interests
5 of the United States, and the national security inter-
6 ests of Israel.

7 (2) REPORT.—The activities described in para-
8 graph (1) may be carried out after the Secretary of
9 Defense, with the concurrence of the Secretary of
10 State, submits a report to the appropriate congress-
11 sional committees that includes—

12 (A) a memorandum of agreement between
13 the United States and Israel regarding sharing
14 of research and development costs for the capa-
15 bilities described in paragraph (1), and any
16 supporting documents; and

17 (B) a certification that the memorandum
18 of agreement referred to in subparagraph (A)—

19 (i) requires sharing of costs of
20 projects, including in-kind support, be-
21 tween the United States and Israel;

22 (ii) establishes a framework to nego-
23 tiate the rights to any intellectual property
24 developed under the memorandum of
25 agreement; and

1 (iii) requires the United States Gov-
2 ernment to receive semiannual reports on
3 expenditure of funds, if any, by the Gov-
4 ernment of Israel, including—

5 (I) a description of what the
6 funds have been used for and when
7 funds were expended; and

8 (II) the identification of entities
9 that expended such funds.

10 (b) SUPPORT IN CONNECTION WITH ACTIVITIES.—

11 (1) IN GENERAL.—The Secretary of Defense,
12 with the concurrence of the Secretary of State, is
13 authorized to provide maintenance and sustainment
14 support to Israel for the directed energy capabilities
15 research, development, test, and evaluation activities
16 authorized under subsection (a)(1), including the in-
17 stallation of equipment that is necessary to carry out
18 such research, development, test, and evaluation.

19 (2) REPORT.—The support described in para-
20 graph (1) may not be provided until 15 days after
21 the date on which the Secretary of Defense, with the
22 concurrence of the Secretary of State, submits a re-
23 port to the appropriate congressional committees
24 that describes in detail the support to be provided.

1 (3) MATCHING CONTRIBUTION.—The support
2 described in paragraph (1) may not be provided un-
3 less the Secretary of Defense, with the concurrence
4 of the Secretary of State, certifies to the appropriate
5 congressional committees that the Government of
6 Israel will contribute to such support—

7 (A) an amount not less than the amount of
8 support to be so provided; or

9 (B) an amount that otherwise meets the
10 best efforts of Israel, as mutually agreed to by
11 the United States and Israel.

12 (c) SEMIANNUAL REPORT.—The Secretary of De-
13 fense, with the concurrence of the Secretary of State, shall
14 submit a semiannual report to the appropriate congres-
15 sional committees that includes the most recent semi-
16 annual report provided by the Government of Israel to the
17 United States Government.

18 **SEC. 6299E. PLANS TO PROVIDE ISRAEL WITH NECESSARY**
19 **DEFENSE ARTICLES AND SERVICES IN A CON-**
20 **TINGENCY.**

21 (a) IN GENERAL.—The President shall establish and
22 update, as appropriate, plans to provide Israel with de-
23 fense articles and services that are determined by the Sec-
24 retary of Defense to be necessary for the defense of Israel
25 in a contingency.

1 (b) CONGRESSIONAL BRIEFING.—Not later than 1
2 year after the date of the enactment of this Act, and annu-
3 ally thereafter, the President shall brief the appropriate
4 congressional committees regarding the status of the plans
5 required under subsection (a).

6 **SEC. 6299F. OTHER MATTERS OF COOPERATION.**

7 (a) IN GENERAL.—Activities authorized under this
8 section shall be carried out with the concurrence of the
9 Secretary of State and aligned with the National Security
10 Strategy of the United States, the United States Govern-
11 ment Global Health Security Strategy, the Department of
12 State Integrated Country Strategies, the USAID Country
13 Development Cooperation Strategies, and any equivalent
14 or successor plans or strategies, as necessary and appro-
15 priate

16 (b) DEVELOPMENT OF HEALTH TECHNOLOGIES.—

17 (1) IN GENERAL.—There is authorized to be
18 appropriated to the Secretary of Health and Human
19 Services \$4,000,000 for each of the fiscal years
20 2021 through 2023 for a bilateral cooperative pro-
21 gram with the Government of Israel that awards
22 grants for the development of health technologies,
23 including health technologies listed in paragraph (2),
24 subject to paragraph (3), with an emphasis on col-

1 laboratively advancing the use of technology and
2 personalized medicine in relation to COVID-19.

3 (2) TYPES OF HEALTH TECHNOLOGIES.—The
4 health technologies described in this paragraph may
5 include technologies such as sensors, drugs and vac-
6 cinations, respiratory assist devices, diagnostic tests,
7 and telemedicine.

8 (3) RESTRICTIONS ON FUNDING.—Amounts ap-
9 propriated pursuant to paragraph (1) are subject to
10 a matching contribution from the Government of
11 Israel.

12 (4) OPTION FOR ESTABLISHING NEW PRO-
13 GRAM.—Amounts appropriated pursuant to para-
14 graph (1) may be expended for a bilateral program
15 with the Government of Israel that—

16 (A) is in existence on the day before the
17 date of the enactment of this Act for the pur-
18 poses described in paragraph (1); or

19 (B) is established after the date of the en-
20 actment of this Act by the Secretary of Health
21 and Human Services, in consultation with the
22 Secretary of State, in accordance with the
23 Agreement between the Government of the
24 United States of America and the Government
25 of the State of Israel on Cooperation in Science

1 and Technology for Homeland Security Mat-
2 ters, done at Jerusalem May 29, 2008 (or a
3 successor agreement), for the purposes de-
4 scribed in paragraph (1).

5 (c) COORDINATOR OF UNITED STATES—ISRAEL RE-
6 SEARCH AND DEVELOPMENT.—

7 (1) IN GENERAL.—The President may des-
8 ignate the Assistant Secretary of State for the Bu-
9 reau of Oceans and International Environmental and
10 Scientific Affairs, or another appropriate Depart-
11 ment of State official, to act as Coordinator of
12 United States-Israel Research and Development (re-
13 ferred to in this subsection as the “Coordinator”).

14 (2) AUTHORITIES AND DUTIES.—The Coordi-
15 nator, in conjunction with the heads of relevant Fed-
16 eral Government departments and agencies and in
17 coordination with the Israel Innovation Authority,
18 may oversee civilian science and technology pro-
19 grams on a joint basis with Israel.

20 (d) OFFICE OF GLOBAL POLICY AND STRATEGY OF
21 THE FOOD AND DRUG ADMINISTRATION.—

22 (1) IN GENERAL.—It is the sense of Congress
23 that the Commissioner of the Food and Drug Ad-
24 ministration should seek to explore collaboration

1 with Israel through the Office of Global Policy and
2 Strategy.

3 (2) REPORT.—Not later than 1 year after the
4 date of the enactment of this Act, the Commissioner,
5 acting through the head of the Office of Global Pol-
6 icy and Strategy, shall submit a report describing
7 the benefits to the United States and to Israel of
8 opening an office in Israel for the Office of Global
9 Policy and Strategy to—

10 (A) the Committee on Foreign Relations of
11 the Senate;

12 (B) the Committee on Health, Education,
13 Labor, and Pensions of the Senate;

14 (C) the Committee on Foreign Affairs of
15 the House of Representatives; and

16 (D) the Committee on Energy and Com-
17 merce of the House of Representatives.

18 (e) UNITED STATES–ISRAEL ENERGY CENTER.—
19 There is authorized to be appropriated to the Secretary
20 of Energy \$4,000,000 for each of the fiscal years 2021
21 through 2023 to carry out the activities of the United
22 States-Israel Energy Center established pursuant to sec-
23 tion 917(d) of the Energy Independence and Security Act
24 of 2007 (42 U.S.C. 17337(d)).

1 (f) UNITED STATES–ISRAEL BINATIONAL INDUS-
2 TRIAL RESEARCH AND DEVELOPMENT FOUNDATION.—It
3 is the sense of Congress that grants to promote covered
4 energy projects conducted by, or in conjunction with, the
5 United States-Israel Binational Industrial Research and
6 Development Foundation should be funded at not less
7 than \$2,000,000 annually under section 917(b) of the En-
8 ergy Independence and Security Act of 2007 (42 U.S.C.
9 17337(b)).

10 (g) UNITED STATES–ISRAEL COOPERATION ON EN-
11 ERGY, WATER, HOMELAND SECURITY, AGRICULTURE,
12 AND ALTERNATIVE FUEL TECHNOLOGIES.—Section 7 of
13 the United States-Israel Strategic Partnership Act of
14 2014 (22 U.S.C. 8606) is amended by adding at the end
15 the following:

16 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 \$2,000,000 for each of the fiscal years 2021 through
19 2023.”.

20 (h) ANNUAL POLICY DIALOGUE.—It is the sense of
21 Congress that the Department of Transportation and
22 Israel’s Ministry of Transportation should engage in an
23 annual policy dialogue to implement the 2016 Memo-
24 randum of Cooperation signed by the Secretary of Trans-
25 portation and the Israeli Minister of Transportation.

1 (i) COOPERATION ON SPACE EXPLORATION AND
2 SCIENCE INITIATIVES.—The Administrator of the Na-
3 tional Aeronautics and Space Administration shall con-
4 tinue to work with the Israel Space Agency to identify and
5 cooperatively pursue peaceful space exploration and
6 science initiatives in areas of mutual interest, taking all
7 appropriate measures to protect sensitive information, in-
8 tellectual property, trade secrets, and economic interests
9 of the United States.

10 (j) RESEARCH AND DEVELOPMENT COOPERATION
11 RELATING TO DESALINATION TECHNOLOGY.—Not later
12 than 1 year after the date of the enactment of this Act,
13 the Director of the Office of Science and Technology Pol-
14 icy shall submit a report that describes research and devel-
15 opment cooperation with international partners, such as
16 the State of Israel, in the area of desalination technology
17 in accordance with section 9(b)(3) of the Water Desalina-
18 tion Act of 1996 (42 U.S.C. 10301 note) to—

19 (1) the Committee on Foreign Relations of the
20 Senate;

21 (2) the Committee on Energy and Natural Re-
22 sources of the Senate;

23 (3) the Committee on Foreign Affairs of the
24 House of Representatives; and

1 (4) the Committee on Natural Resources of the
2 House of Representatives.

3 (k) RESEARCH AND TREATMENT OF
4 POSTTRAUMATIC STRESS DISORDER.—It is the sense of
5 Congress that the Secretary of Veterans Affairs should
6 seek to explore collaboration between the Mental Illness
7 Research, Education and Clinical Centers of Excellence
8 and Israeli institutions with expertise in researching and
9 treating posttraumatic stress disorder.

10 **TITLE LXVI—STRATEGIC PRO-**
11 **GRAMS, CYBER, AND INTEL-**
12 **LIGENCE MATTERS**

13 **Subtitle B—Cyberspace Related**
14 **Matters**

15 **SEC. 6611. REPORT ON USE OF ENCRYPTION BY DEPART-**
16 **MENT OF DEFENSE NATIONAL SECURITY SYS-**
17 **TEMS.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the Secretary of Defense shall submit
20 to the Congress a report detailing the mission need and
21 efficacy of full disk encryption across Non-classified Inter-
22 net Protocol Router Network (NIPRNet) and Secretary
23 Internet Protocol Router Network (SIPRNet) endpoint
24 computer systems. Such report shall cover matters relat-
25 ing to cost, mission impact, and implementation timeline.

1 **SEC. 6612. GUIDANCE AND DIRECTION ON USE OF DIRECT**
2 **HIRING PROCESSES FOR ARTIFICIAL INTEL-**
3 **LIGENCE PROFESSIONALS AND OTHER DATA**
4 **SCIENCE AND SOFTWARE DEVELOPMENT**
5 **PERSONNEL.**

6 (a) **GUIDANCE REQUIRED.**—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall issue guidance to the secretaries of the
9 military departments and the heads of the defense compo-
10 nents on improved use of the direct hiring processes for
11 artificial intelligence professionals and other data science
12 and software development personnel.

13 (b) **OBJECTIVE.**—The objective of the guidance
14 issued under subsection (a) shall be to ensure that organi-
15 zational leaders assume greater responsibility for the re-
16 sults of civilian hiring of artificial intelligence profes-
17 sionals and other data science and software development
18 personnel.

19 (c) **CONTENTS OF GUIDANCE.**—At a minimum, the
20 guidance required by subsection (a) shall—

21 (1) instruct human resources professionals and
22 hiring authorities to utilize available direct hiring
23 authorities (including excepted service authorities)
24 for the hiring of artificial intelligence professionals
25 and other data science and software development
26 personnel, to the maximum extent practicable;

1 (2) instruct hiring authorities, when using di-
2 rect hiring authorities, to prioritize utilization of
3 panels of subject matter experts over human re-
4 sources professionals to assess applicant qualifica-
5 tions and determine which applicants are best quali-
6 fied for a position;

7 (3) authorize and encourage the use of
8 ePortfolio reviews to provide insight into the pre-
9 vious work of applicants as a tangible demonstration
10 of capabilities and contribute to the assessment of
11 applicant qualifications by subject matter experts;
12 and

13 (4) encourage the use of referral bonuses for re-
14 cruitment and hiring of highly qualified artificial in-
15 telligence professionals and other data science and
16 software development personnel in accordance with
17 volume 451 of Department of Defense Instruction
18 1400.25.

19 (d) REPORT.—

20 (1) IN GENERAL.—Not later than one year
21 after the date on which the guidance is issued under
22 subsection (a), the Secretary shall submit to the
23 Committee on Armed Services of the Senate and the
24 Committee on Armed Services of the House of Rep-

1 representatives a report on the guidance issued pursu-
2 ant to subsection (a).

3 (2) CONTENTS.—At a minimum, the report
4 submitted under paragraph (1) shall address the fol-
5 lowing:

6 (A) The objectives of the guidance and the
7 manner in which the guidance seeks to achieve
8 those objectives.

9 (B) The effect of the guidance on the hir-
10 ing process for artificial intelligence profes-
11 sionals and other data science and software de-
12 velopment personnel, including the effect on—

13 (i) hiring time;

14 (ii) the use of direct hiring authority;

15 (iii) the use of subject matter experts;

16 and

17 (iv) the quality of new hires, as as-
18 sessed by hiring managers and organiza-
19 tional leaders.

20 **SEC. 6613. CYBERSECURITY STATE COORDINATOR ACT.**

21 (a) SHORT TITLE.—This section may be cited as the
22 “Cybersecurity State Coordinator Act of 2020”.

23 (b) CYBERSECURITY STATE COORDINATOR.—

1 (1) IN GENERAL.—Subtitle A of title XXII of
2 the Homeland Security Act of 2002 (6 U.S.C. 651
3 et seq.) is amended—

4 (A) in section 2202(c) (6 U.S.C. 652(c))—

5 (i) in paragraph (10), by striking
6 “and” at the end;

7 (ii) by redesignating paragraph (11)
8 as paragraph (12); and

9 (iii) by inserting after paragraph (10)
10 the following:

11 “(11) appoint a Cybersecurity State Coordi-
12 nator in each State, as described in section 2215;
13 and”; and

14 (B) by adding at the end the following:

15 **“SEC. 2215. CYBERSECURITY STATE COORDINATOR.**

16 “(a) APPOINTMENT.—The Director shall appoint an
17 employee of the Agency in each State, with the appro-
18 priate cybersecurity qualifications and expertise, who shall
19 serve as the Cybersecurity State Coordinator.

20 “(b) DUTIES.—The duties of a Cybersecurity State
21 Coordinator appointed under subsection (a) shall in-
22 clude—

23 “(1) building strategic relationships across Fed-
24 eral and, on a voluntary basis, non-Federal entities
25 by advising on establishing governance structures to

1 facilitate the development and maintenance of secure
2 and resilient infrastructure;

3 “(2) serving as a Federal cybersecurity risk ad-
4 visor and coordinating between Federal and, on a
5 voluntary basis, non-Federal entities to support
6 preparation, response, and remediation efforts relat-
7 ing to cybersecurity risks and incidents;

8 “(3) facilitating the sharing of cyber threat in-
9 formation between Federal and, on a voluntary
10 basis, non-Federal entities to improve understanding
11 of cybersecurity risks and situational awareness of
12 cybersecurity incidents;

13 “(4) raising awareness of the financial, tech-
14 nical, and operational resources available from the
15 Federal Government to non-Federal entities to in-
16 crease resilience against cyber threats;

17 “(5) supporting training, exercises, and plan-
18 ning for continuity of operations to expedite recovery
19 from cybersecurity incidents, including ransomware;

20 “(6) serving as a principal point of contact for
21 non-Federal entities to engage, on a voluntary basis,
22 with the Federal Government on preparing, man-
23 aging, and responding to cybersecurity incidents;

24 “(7) assisting non-Federal entities in developing
25 and coordinating vulnerability disclosure programs

1 consistent with Federal and information security in-
2 dustry standards; and

3 “(8) performing such other duties as deter-
4 mined necessary by the Director to achieve the goal
5 of managing cybersecurity risks in the United States
6 and reducing the impact of cyber threats to non-
7 Federal entities.

8 “(c) FEEDBACK.—The Director shall consult with
9 relevant State and local officials regarding the appoint-
10 ment, and State and local officials and other non-Federal
11 entities regarding the performance, of the Cybersecurity
12 State Coordinator of a State.”.

13 (2) OVERSIGHT.—The Director of the Cyberse-
14 curity and Infrastructure Security Agency shall pro-
15 vide to the Committee on Homeland Security and
16 Governmental Affairs of the Senate and the Com-
17 mittee on Homeland Security of the House of Rep-
18 resentatives a briefing on the placement and efficacy
19 of the Cybersecurity State Coordinators appointed
20 under section 2215 of the Homeland Security Act of
21 2002, as added by paragraph (1)—

22 (A) not later than 1 year after the date of
23 enactment of this Act; and

24 (B) not later than 2 years after providing
25 the first briefing under this paragraph.

1 (3) **RULE OF CONSTRUCTION.**—Nothing in this
2 subsection or the amendments made by this sub-
3 section shall be construed to affect or otherwise
4 modify the authority of Federal law enforcement
5 agencies with respect to investigations relating to cy-
6 bersecurity incidents.

7 (4) **TECHNICAL AND CONFORMING AMEND-**
8 **MENT.**—The table of contents in section 1(b) of the
9 Homeland Security Act of 2002 (Public Law 107–
10 296; 116 Stat. 2135) is amended by inserting after
11 the item relating to section 2214 the following:

“Sec. 2215. Cybersecurity State Coordinator.”.

12 **SEC. 6614. CYBERSECURITY ADVISORY COMMITTEE.**

13 (a) **SHORT TITLE.**—This section may be cited as the
14 “Cybersecurity Advisory Committee Authorization Act of
15 2020”.

16 (b) **IN GENERAL.**—Subtitle A of title XXII of the
17 Homeland Security Act of 2002 (6 U.S.C. 651 et seq.),
18 as amended by section 6613 of this Act, is further amend-
19 ed by adding at the end the following:

20 **“SEC. 2216. CYBERSECURITY ADVISORY COMMITTEE.**

21 “(a) **ESTABLISHMENT.**—The Secretary shall estab-
22 lish within the Agency a Cybersecurity Advisory Com-
23 mittee (referred to in this section as the ‘Advisory Com-
24 mittee’).

25 “(b) **DUTIES.**—

1 “(1) IN GENERAL.—The Advisory Committee
2 shall advise, consult with, report to, and make rec-
3 ommendations to the Director, as appropriate, on
4 the development, refinement, and implementation of
5 policies, programs, planning, and training pertaining
6 to the cybersecurity mission of the Agency.

7 “(2) RECOMMENDATIONS.—

8 “(A) IN GENERAL.—The Advisory Com-
9 mittee shall develop, at the request of the Di-
10 rector, recommendations for improvements to
11 advance the cybersecurity mission of the Agency
12 and strengthen the cybersecurity of the United
13 States.

14 “(B) RECOMMENDATIONS OF SUBCOMMIT-
15 TEES.—Recommendations agreed upon by sub-
16 committees established under subsection (d) for
17 any year shall be approved by the Advisory
18 Committee before the Advisory Committee sub-
19 mits to the Director the annual report under
20 paragraph (4) for that year.

21 “(3) PERIODIC REPORTS.—The Advisory Com-
22 mittee shall periodically submit to the Director—

23 “(A) reports on matters identified by the
24 Director; and

1 “(B) reports on other matters identified by
2 a majority of the members of the Advisory
3 Committee.

4 “(4) ANNUAL REPORT.—

5 “(A) IN GENERAL.—The Advisory Com-
6 mittee shall submit to the Director an annual
7 report providing information on the activities,
8 findings, and recommendations of the Advisory
9 Committee, including its subcommittees, for the
10 preceding year.

11 “(B) PUBLICATION.—Not later than 180
12 days after the date on which the Director re-
13 ceives an annual report for a year under sub-
14 paragraph (A), the Director shall publish a
15 public version of the report describing the ac-
16 tivities of the Advisory Committee and such re-
17 lated matters as would be informative to the
18 public during that year, consistent with section
19 552(b) of title 5, United States Code.

20 “(5) FEEDBACK.—Not later than 90 days after
21 receiving any recommendation submitted by the Ad-
22 visory Committee under paragraph (2), (3), or (4),
23 the Director shall respond in writing to the Advisory
24 Committee with feedback on the recommendation.
25 Such a response shall include—

1 “(A) with respect to any recommendation
2 with which the Director concurs, an action plan
3 to implement the recommendation; and

4 “(B) with respect to any recommendation
5 with which the Director does not concur, a jus-
6 tification for why the Director does not plan to
7 implement the recommendation.

8 “(6) CONGRESSIONAL NOTIFICATION.—Not less
9 frequently than once per year after the date of en-
10 actment of this section, the Director shall provide to
11 the Committee on Homeland Security and Govern-
12 mental Affairs and the Committee on Appropriations
13 of the Senate and the Committee on Homeland Se-
14 curity and the Committee on Appropriations of the
15 House of Representatives a briefing on feedback
16 from the Advisory Committee.

17 “(7) GOVERNANCE RULES.—The Director shall
18 establish rules for the structure and governance of
19 the Advisory Committee and all subcommittees es-
20 tablished under subsection (d).

21 “(c) MEMBERSHIP.—

22 “(1) APPOINTMENT.—

23 “(A) IN GENERAL.—Not later than 180
24 days after the date of enactment of the Cyber-
25 security Advisory Committee Authorization Act

1 of 2020, the Director shall appoint the mem-
2 bers of the Advisory Committee.

3 “(B) COMPOSITION.—The membership of
4 the Advisory Committee shall consist of not
5 more than 35 individuals.

6 “(C) REPRESENTATION.—

7 “(i) IN GENERAL.—The membership
8 of the Advisory Committee shall—

9 “(I) consist of subject matter ex-
10 perts;

11 “(II) be geographically balanced;
12 and

13 “(III) include representatives of
14 State, local, and Tribal governments
15 and of a broad range of industries,
16 which may include the following:

17 “(aa) Defense.

18 “(bb) Education.

19 “(cc) Financial services and
20 insurance.

21 “(dd) Healthcare.

22 “(ee) Manufacturing.

23 “(ff) Media and entertain-
24 ment.

25 “(gg) Chemicals.

1 “(hh) Retail.

2 “(ii) Transportation.

3 “(jj) Energy.

4 “(kk) Information Tech-
5 nology.

6 “(ll) Communications.

7 “(mm) Other relevant fields
8 identified by the Director.

9 “(ii) PROHIBITION.—Not less than 1
10 member nor more than 3 members may
11 represent any 1 category under clause
12 (i)(III).

13 “(iii) PUBLICATION OF MEMBERSHIP
14 LIST.—The Advisory Committee shall pub-
15 lish its membership list on a publicly avail-
16 able website not less than once per fiscal
17 year and shall update the membership list
18 as changes occur.

19 “(2) TERM OF OFFICE.—

20 “(A) TERMS.—The term of each member
21 of the Advisory Committee shall be 2 years, ex-
22 cept that a member may continue to serve until
23 a successor is appointed.

24 “(B) REMOVAL.—The Director may review
25 the participation of a member of the Advisory

1 Committee and remove such member any time
2 at the discretion of the Director.

3 “(C) REAPPOINTMENT.—A member of the
4 Advisory Committee may be reappointed for an
5 unlimited number of terms.

6 “(3) PROHIBITION ON COMPENSATION.—The
7 members of the Advisory Committee may not receive
8 pay or benefits from the United States Government
9 by reason of their service on the Advisory Com-
10 mittee.

11 “(4) MEETINGS.—

12 “(A) IN GENERAL.—The Director shall re-
13 quire the Advisory Committee to meet not less
14 frequently than semiannually, and may convene
15 additional meetings as necessary.

16 “(B) PUBLIC MEETINGS.—At least one of
17 the meetings referred to in subparagraph (A)
18 shall be open to the public.

19 “(C) ATTENDANCE.—The Advisory Com-
20 mittee shall maintain a record of the persons
21 present at each meeting.

22 “(5) MEMBER ACCESS TO CLASSIFIED INFOR-
23 MATION.—

24 “(A) IN GENERAL.—Not later than 60
25 days after the date on which a member is first

1 appointed to the Advisory Committee and be-
2 fore the member is granted access to any classi-
3 fied information, the Director shall determine,
4 for the purposes of the Advisory Committee, if
5 the member should be restricted from review-
6 ing, discussing, or possessing classified informa-
7 tion.

8 “(B) ACCESS.—Access to classified mate-
9 rials shall be managed in accordance with Exec-
10 utive Order No. 13526 of December 29, 2009
11 (75 Fed. Reg. 707), or any subsequent cor-
12 responding Executive Order.

13 “(C) PROTECTIONS.—A member of the
14 Advisory Committee shall protect all classified
15 information in accordance with the applicable
16 requirements for the particular level of classi-
17 fication of such information.

18 “(D) RULE OF CONSTRUCTION.—Nothing
19 in this paragraph shall be construed to affect
20 the security clearance of a member of the Advi-
21 sory Committee or the authority of a Federal
22 agency to provide a member of the Advisory
23 Committee access to classified information.

1 “(6) CHAIRPERSON.—The Advisory Committee
2 shall select, from among the members of the Advi-
3 sory Committee—

4 “(A) a member to serve as chairperson of
5 the Advisory Committee; and

6 “(B) a member to serve as chairperson of
7 each subcommittee of the Advisory Committee
8 established under subsection (d).

9 “(d) SUBCOMMITTEES.—

10 “(1) IN GENERAL.—The Director shall establish
11 subcommittees within the Advisory Committee to ad-
12 dress cybersecurity issues, which may include the
13 following:

14 “(A) Information exchange.

15 “(B) Critical infrastructure.

16 “(C) Risk management.

17 “(D) Public and private partnerships.

18 “(2) MEETINGS AND REPORTING.—Each sub-
19 committee shall meet not less frequently than semi-
20 annually, and submit to the Advisory Committee for
21 inclusion in the annual report required under sub-
22 section (b)(4) information, including activities, find-
23 ings, and recommendations, regarding subject mat-
24 ter considered by the subcommittee.

1 “(3) SUBJECT MATTER EXPERTS.—The chair of
2 the Advisory Committee shall appoint members to
3 subcommittees and shall ensure that each member
4 appointed to a subcommittee has subject matter ex-
5 pertise relevant to the subject matter of the sub-
6 committee.”.

7 (c) CLERICAL AMENDMENT.—The table of contents
8 in section 1(b) of the Homeland Security Act of 2002
9 (Public Law 107–296; 116 Stat. 2135), as so amended,
10 is further amended by inserting after the item relating to
11 section 2215 the following:

 “Sec. 2216. Cybersecurity Advisory Committee.”.

12 **SEC. 6615. CYBERSECURITY EDUCATION AND TRAINING AS-**
13 **SISTANCE PROGRAM.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) the United States continues to face critical
17 shortages in the national cybersecurity workforce;

18 (2) the Cybersecurity and Infrastructure Secu-
19 rity Agency within the Department of Homeland Se-
20 curity has the responsibility to manage cyber and
21 physical risks to our critical infrastructure, including
22 by ensuring a national workforce supply to support
23 cybersecurity through education, training, and ca-
24 pacity development efforts;

1 (3) to reestablish the technology leadership, se-
2 curity, and economic competitiveness of the United
3 States, the Cybersecurity and Infrastructure Secu-
4 rity Agency should create a sustainable pipeline by
5 strengthening K–12 cybersecurity outreach and edu-
6 cation nationwide.

7 (b) AUTHORITIES.—Section 2202(e)(1) of the Home-
8 land Security Act of 2002 (6 U.S.C. 652(e)(1)) is amend-
9 ed by adding at the end the following:

10 “(R) To encourage and build cybersecurity
11 awareness and competency across the United
12 States and to develop, attract, and retain the
13 cybersecurity workforce necessary for the cyber-
14 security related missions of the Department, in-
15 cluding by—

16 “(i) overseeing K–12 cybersecurity
17 education and awareness related programs
18 at the agency;

19 “(ii) leading efforts to develop, at-
20 tract, and retain the cybersecurity work-
21 force necessary for the cybersecurity re-
22 lated missions of the Department;

23 “(iii) encouraging and building cyber-
24 security awareness and competency across
25 the United States; and

1 “(iv) carrying out cybersecurity re-
2 lated workforce development activities, in-
3 cluding through—

4 “(I) increasing the pipeline of fu-
5 ture cybersecurity professionals
6 through programs focused on K–12,
7 higher education, and non-traditional
8 students; and

9 “(II) building awareness of and
10 competency in cybersecurity across
11 the civilian Federal government work-
12 force.”.

13 (c) EDUCATION, TRAINING, AND CAPACITY DEVEL-
14 OPMENT.—Section 2202(c) of the Homeland Security Act
15 of 2002 (6 U.S.C. 652(c)) is amended—

16 (1) by redesignating paragraph (11) as para-
17 graph (12);

18 (2) in paragraph (10), by striking “and” at the
19 end; and

20 (3) by inserting after paragraph (10) the fol-
21 lowing:

22 “(11) provide education, training, and capacity
23 development for Federal and non-Federal entities to
24 enhance the security and resiliency of domestic and

1 global cybersecurity and infrastructure security;
2 and”.

3 (d) ESTABLISHMENT OF TRAINING PROGRAMS.—
4 Subtitle A of title XXII of the Homeland Security Act of
5 2002 (6 U.S.C. 651 et seq.), as amended by section 6614
6 of this Act, is further amended by adding at the end the
7 following:

8 **“SEC. 2217. CYBERSECURITY EDUCATION AND TRAINING**
9 **PROGRAMS.**

10 “(a) ESTABLISHMENT.—

11 “(1) IN GENERAL.—The Cybersecurity Edu-
12 cation and Training Assistance Program (referred to
13 in this section as ‘CETAP’) is established within the
14 Agency.

15 “(2) PURPOSE.—The purpose of CETAP shall
16 be to support the effort of the Agency in building
17 and strengthening a national cybersecurity workforce
18 pipeline capacity through enabling K–12 cybersecu-
19 rity education, including by—

20 “(A) providing foundational cybersecurity
21 awareness and literacy;

22 “(B) encouraging cybersecurity career ex-
23 ploration; and

24 “(C) supporting the teaching of cybersecu-
25 rity skills at the K–12 levels.

1 “(b) REQUIREMENTS.—In carrying out CETAP, the
2 Director shall—

3 “(1) ensure that the program—

4 “(A) creates and disseminates K–12 cyber-
5 security-focused curricula and career awareness
6 materials;

7 “(B) conducts professional development
8 sessions for teachers;

9 “(C) develops resources for the teaching of
10 K–12 cybersecurity-focused curricula;

11 “(D) provides direct student engagement
12 opportunities through camps and other pro-
13 gramming;

14 “(E) engages with local and State edu-
15 cation authorities to promote awareness of the
16 program and ensure that offerings align with
17 State and local standards;

18 “(F) integrates with existing post-sec-
19 ondary education and workforce development
20 programs at the Department;

21 “(G) establishes and maintains national
22 standards for K–12 cyber education;

23 “(H) partners with cybersecurity and edu-
24 cation stakeholder groups to expand outreach;
25 and

1 “(I) any other activity the Director deter-
2 mines necessary to meet the purpose described
3 in subsection (a)(2); and

4 “(2) enable the deployment of CETAP nation-
5 wide, with special consideration for underserved pop-
6 ulations or communities.

7 “(c) BRIEFINGS.—

8 “(1) IN GENERAL.—Not later than 1 year after
9 the establishment of CETAP, and annually there-
10 after, the Secretary shall brief the Committee on
11 Homeland Security and Governmental Affairs of the
12 Senate and the Committee on Homeland Security of
13 the House of Representatives on the program.

14 “(2) CONTENTS.—Each briefing conducted
15 under paragraph (1) shall include—

16 “(A) estimated figures on the number of
17 students reached and teachers engaged;

18 “(B) information on community outreach
19 and State engagement efforts;

20 “(C) information on new curricula offer-
21 ings and teacher training platforms; and

22 “(D) information on coordination with
23 post-secondary education and workforce devel-
24 opment programs at the Department.

1 “(d) MISSION PROMOTION.—The Director may use
 2 appropriated amounts to purchase promotional and rec-
 3 ognition items and marketing and advertising services to
 4 publicize and promote the mission and services of the
 5 Agency, support the activities of the Agency, and to re-
 6 cruit and retain Agency personnel.”.

7 (e) TECHNICAL AND CONFORMING AMENDMENT.—
 8 The table of contents in section 1(b) of the Homeland Se-
 9 curity Act of 2002 (Public Law 107–296; 116 Stat. 2135),
 10 as so amended, is further amended by inserting after the
 11 item relating to section 2216 the following:

“Sec. 2217. Cybersecurity Education and Training Programs.”.

12 **Subtitle C—Nuclear Forces**

13 **SEC. 6651. REPORT ON ELECTROMAGNETIC PULSE HARD-** 14 **ENING OF GROUND-BASED STRATEGIC DE-** 15 **TERRENT WEAPONS SYSTEM.**

16 (a) REPORT REQUIRED.—Not later than 180 days
 17 after the date of the enactment of this Act, the Secretary
 18 of the Air Force shall submit to the congressional defense
 19 committees a report on establishing requirements and pro-
 20 tocols to ensure that the ground-based strategic deterrent
 21 weapons system is hardened against electromagnetic
 22 pulses.

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

1 (1) The testing protocols the ground-based stra-
2 tegic deterrent program will use for electromagnetic
3 pulse testing.

4 (2) How requirements for electromagnetic pulse
5 hardness will be integrated into the ground-based
6 strategic deterrent program.

7 (3) Plans for electromagnetic pulse verification
8 tests of the ground-based strategic deterrent weap-
9 ons system.

10 (4) Plans for electromagnetic pulse testing of
11 nonmissile components of the ground-based strategic
12 deterrent weapons system.

13 (5) Plans to sustain electromagnetic pulse qual-
14 ification of the ground-based strategic deterrent
15 weapons system.

16 **TITLE LXVII—NUCLEAR ENERGY**
17 **LEADERSHIP**

18 **SEC. 6701. ADVANCED NUCLEAR REACTOR RESEARCH AND**
19 **DEVELOPMENT GOALS.**

20 (a) IN GENERAL.—Subtitle E of title IX of the En-
21 ergy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is
22 amended by adding at the end the following:

23 **“SEC. 959A. ADVANCED NUCLEAR REACTOR RESEARCH**
24 **AND DEVELOPMENT GOALS.**

25 “(a) DEFINITIONS.—In this section:

1 “(1) ADVANCED NUCLEAR REACTOR.—The
2 term ‘advanced nuclear reactor’ means—

3 “(A) a nuclear fission reactor, including a
4 prototype plant (as defined in sections 50.2 and
5 52.1 of title 10, Code of Federal Regulations
6 (or successor regulations)), with significant im-
7 provements compared to the most recent gen-
8 eration of fission reactors, including improve-
9 ments such as—

10 “(i) additional inherent safety fea-
11 tures;

12 “(ii) lower waste yields;

13 “(iii) improved fuel performance;

14 “(iv) increased tolerance to loss of
15 fuel cooling;

16 “(v) enhanced reliability;

17 “(vi) increased proliferation resist-
18 ance;

19 “(vii) increased thermal efficiency;

20 “(viii) reduced consumption of cooling
21 water;

22 “(ix) the ability to integrate into elec-
23 tric applications and nonelectric applica-
24 tions;

1 “(x) modular sizes to allow for deploy-
2 ment that corresponds with the demand
3 for electricity; or

4 “(xi) operational flexibility to respond
5 to changes in demand for electricity and to
6 complement integration with intermittent
7 renewable energy; and

8 “(B) a fusion reactor.

9 “(2) DEMONSTRATION PROJECT.—The term
10 ‘demonstration project’ means an advanced nuclear
11 reactor operated in any manner, including as part of
12 the power generation facilities of an electric utility
13 system, for the purpose of demonstrating the suit-
14 ability for commercial application of the advanced
15 nuclear reactor.

16 “(b) PURPOSE.—The purpose of this section is to di-
17 rect the Secretary, as soon as practicable after the date
18 of enactment of this section, to advance the research and
19 development of domestic advanced, affordable, and clean
20 nuclear energy by—

21 “(1) demonstrating different advanced nuclear
22 reactor technologies that could be used by the pri-
23 vate sector to produce—

24 “(A) emission-free power at a levelized cost
25 of electricity of \$60 per megawatt-hour or less;

1 “(B) heat for community heating, indus-
2 trial purposes, or synthetic fuel production;

3 “(C) remote or off-grid energy supply; or

4 “(D) backup or mission-critical power sup-
5 plies;

6 “(2) developing subgoals for nuclear energy re-
7 search programs that would accomplish the goals of
8 the demonstration projects carried out under sub-
9 section (c);

10 “(3) identifying research areas that the private
11 sector is unable or unwilling to undertake due to the
12 cost of, or risks associated with, the research; and

13 “(4) facilitating the access of the private sec-
14 tor—

15 “(A) to Federal research facilities and per-
16 sonnel; and

17 “(B) to the results of research relating to
18 civil nuclear technology funded by the Federal
19 Government.

20 “(c) DEMONSTRATION PROJECTS.—

21 “(1) IN GENERAL.—The Secretary shall, to the
22 maximum extent practicable—

23 “(A) enter into agreements to complete not
24 fewer than 2 demonstration projects by not
25 later than December 31, 2025; and

1 “(B) establish a program to enter into
2 agreements to complete 1 additional operational
3 demonstration project by not later than Decem-
4 ber 31, 2035.

5 “(2) REQUIREMENTS.—In carrying out dem-
6 onstration projects under paragraph (1), the Sec-
7 retary shall—

8 “(A) include diversity in designs for the
9 advanced nuclear reactors demonstrated under
10 this section, including designs using various—

11 “(i) primary coolants;

12 “(ii) fuel types and compositions; and

13 “(iii) neutron spectra;

14 “(B) seek to ensure that—

15 “(i) the long-term cost of electricity or
16 heat for each design to be demonstrated
17 under this subsection is cost-competitive in
18 the applicable market;

19 “(ii) the selected projects can meet
20 the deadline established in paragraph (1)
21 to demonstrate first-of-a-kind advanced
22 nuclear reactor technologies, for which ad-
23 ditional information shall be considered, in-
24 cluding—

1 “(I) the technology readiness
2 level of a proposed advanced nuclear
3 reactor technology;

4 “(II) the technical abilities and
5 qualifications of teams desiring to
6 demonstrate a proposed advanced nu-
7 clear reactor technology; and

8 “(III) the capacity to meet cost-
9 share requirements of the Depart-
10 ment;

11 “(C) ensure that each evaluation of can-
12 didate technologies for the demonstration
13 projects is completed through an external re-
14 view of proposed designs, which review shall—

15 “(i) be conducted by a panel that in-
16 cludes not fewer than 1 representative of
17 each of—

18 “(I) an electric utility; and

19 “(II) an entity that uses high-
20 temperature process heat for manu-
21 facturing or industrial processing,
22 such as a petrochemical company, a
23 manufacturer of metals, or a manu-
24 facturer of concrete;

1 “(ii) include a review of cost-competi-
2 tiveness and other value streams, together
3 with the technology readiness level, of each
4 design to be demonstrated under this sub-
5 section; and

6 “(iii) not be required for a demonstra-
7 tion project that receives no financial as-
8 sistance from the Department for con-
9 struction costs;

10 “(D) for federally funded demonstration
11 projects, enter into cost-sharing agreements
12 with private sector partners in accordance with
13 section 988 for the conduct of activities relating
14 to the research, development, and demonstra-
15 tion of private-sector advanced nuclear reactor
16 designs under the program;

17 “(E) work with private sector partners to
18 identify potential sites, including Department-
19 owned sites, for demonstrations, as appropriate;

20 “(F) align specific activities carried out
21 under demonstration projects carried out under
22 this subsection with priorities identified through
23 direct consultations between—

24 “(i) the Department;

25 “(ii) National Laboratories;

1 “(iii) institutions of higher education;

2 “(iv) traditional end-users (such as
3 electric utilities);

4 “(v) potential end-users of new tech-
5 nologies (such as users of high-tempera-
6 ture process heat for manufacturing proc-
7 essing, including petrochemical companies,
8 manufacturers of metals, or manufacturers
9 of concrete); and

10 “(vi) developers of advanced nuclear
11 reactor technology; and

12 “(G) seek to ensure that the demonstration
13 projects carried out under paragraph (1) do not
14 cause any delay in a deployment of an advanced
15 reactor by private industry and the Department
16 that is underway as of the date of enactment of
17 this section.

18 “(3) ADDITIONAL REQUIREMENTS.—In car-
19 rying out demonstration projects under paragraph
20 (1), the Secretary shall—

21 “(A) identify candidate technologies that—

22 “(i) are not developed sufficiently for
23 demonstration within the initial required
24 timeframe described in paragraph (1)(A);
25 but

1 “(ii) could be demonstrated within the
2 timeframe described in paragraph (1)(B);

3 “(B) identify technical challenges to the
4 candidate technologies identified in subpara-
5 graph (A);

6 “(C) support near-term research and devel-
7 opment to address the highest-risk technical
8 challenges to the successful demonstration of a
9 selected advanced reactor technology, in accord-
10 ance with—

11 “(i) subparagraph (B); and

12 “(ii) the research and development ac-
13 tivities under sections 952 and 958;

14 “(D) establish such technology advisory
15 working groups as the Secretary determines to
16 be appropriate to advise the Secretary regard-
17 ing the technical challenges identified under
18 subparagraph (B) and the scope of research
19 and development programs to address the chal-
20 lenges, in accordance with subparagraph (C), to
21 be comprised of—

22 “(i) private-sector advanced nuclear
23 reactor technology developers;

1 “(ii) technical experts with respect to
2 the relevant technologies at institutions of
3 higher education; and

4 “(iii) technical experts at the National
5 Laboratories.

6 “(d) GOALS.—

7 “(1) IN GENERAL.—The Secretary shall estab-
8 lish goals for research relating to advanced nuclear
9 reactors facilitated by the Department that support
10 the objectives of the program for demonstration
11 projects established under subsection (c).

12 “(2) COORDINATION.—In developing the goals
13 under paragraph (1), the Secretary shall coordinate,
14 on an ongoing basis, with members of private indus-
15 try to advance the demonstration of various designs
16 of advanced nuclear reactors.

17 “(3) REQUIREMENTS.—In developing the goals
18 under paragraph (1), the Secretary shall ensure
19 that—

20 “(A) research activities facilitated by the
21 Department to meet the goals developed under
22 this subsection are focused on key areas of nu-
23 clear research and deployment ranging from
24 basic science to full-design development, safety
25 evaluation, and licensing;

1 “(B) research programs designed to meet
2 the goals emphasize—

3 “(i) resolving materials challenges re-
4 lating to extreme environments, including
5 extremely high levels of—

6 “(I) radiation fluence;

7 “(II) temperature;

8 “(III) pressure; and

9 “(IV) corrosion; and

10 “(ii) qualification of advanced fuels;

11 “(C) activities are carried out that address
12 near-term challenges in modeling and simula-
13 tion to enable accelerated design and licensing;

14 “(D) related technologies, such as tech-
15 nologies to manage, reduce, or reuse nuclear
16 waste, are developed;

17 “(E) nuclear research infrastructure is
18 maintained or constructed, such as—

19 “(i) currently operational research re-
20 actors at the National Laboratories and in-
21 stitutions of higher education;

22 “(ii) hot cell research facilities;

23 “(iii) a versatile fast neutron source;

24 and

25 “(iv) a molten salt testing facility;

1 “(F) basic knowledge of non-light water
2 coolant physics and chemistry is improved;

3 “(G) advanced sensors and control systems
4 are developed; and

5 “(H) advanced manufacturing and ad-
6 vanced construction techniques and materials
7 are investigated to reduce the cost of advanced
8 nuclear reactors.”.

9 (b) TABLE OF CONTENTS.—The table of contents of
10 the Energy Policy Act of 2005 (Public Law 109–58; 119
11 Stat. 594; 132 Stat. 3160) is amended—

12 (1) in the item relating to section 917, by strik-
13 ing “Efficiency”;

14 (2) in the items relating to each of sections
15 957, 958, and 959 by inserting “Sec.” before the
16 item number; and

17 (3) by inserting after the item relating to sec-
18 tion 959 the following:

“Sec. 959A. Advanced nuclear reactor research and development goals.”.

19 **SEC. 6702. NUCLEAR ENERGY STRATEGIC PLAN.**

20 (a) IN GENERAL.—Subtitle E of title IX of the En-
21 ergy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as
22 amended by section 6701(a)) is amended by adding at the
23 end the following:

1 **“SEC. 959B. NUCLEAR ENERGY STRATEGIC PLAN.**

2 “(a) IN GENERAL.—Not later than 180 days after
3 the date of enactment of this section, the Secretary shall
4 submit to the Committee on Energy and Natural Re-
5 sources of the Senate and the Committees on Energy and
6 Commerce and Science, Space, and Technology of the
7 House of Representatives a 10-year strategic plan for the
8 Office of Nuclear Energy of the Department, in accord-
9 ance with this section.

10 “(b) REQUIREMENTS.—

11 “(1) COMPONENTS.—The strategic plan under
12 this section shall designate—

13 “(A) programs that support the planned
14 accomplishment of—

15 “(i) the goals established under sec-
16 tion 959A; and

17 “(ii) the demonstration programs
18 identified under subsection (c) of that sec-
19 tion; and

20 “(B) programs that—

21 “(i) do not support the planned ac-
22 complishment of demonstration programs,
23 or the goals, referred to in subparagraph
24 (A); but

1 “(ii) are important to the mission of
2 the Office of Nuclear Energy, as deter-
3 mined by the Secretary.

4 “(2) PROGRAM PLANNING.—In developing the
5 strategic plan under this section, the Secretary shall
6 specify expected timelines for, as applicable—

7 “(A) the accomplishment of relevant objec-
8 tives under current programs of the Depart-
9 ment; or

10 “(B) the commencement of new programs
11 to accomplish those objectives.

12 “(c) UPDATES.—Not less frequently than once every
13 2 years, the Secretary shall submit to the Committee on
14 Energy and Natural Resources of the Senate and the
15 Committees on Energy and Commerce and Science, Space,
16 and Technology of the House of Representatives an up-
17 dated 10-year strategic plan in accordance with subsection
18 (b), which shall identify, and provide a justification for,
19 any major deviation from a previous strategic plan sub-
20 mitted under this section.”.

21 (b) TABLE OF CONTENTS.—The table of contents of
22 the Energy Policy Act of 2005 (Public Law 109–58; 119
23 Stat. 594; 132 Stat. 3160) (as amended by section
24 6701(b)(3)) is amended by inserting after the item relat-
25 ing to section 959A the following:

“Sec. 959B. Nuclear energy strategic plan.”.

1 **SEC. 6703. VERSATILE, REACTOR-BASED FAST NEUTRON**
 2 **SOURCE.**

3 Section 955(c)(1) of the Energy Policy Act of 2005
 4 (42 U.S.C. 16275(c)(1)) is amended—

5 (1) in the paragraph heading, by striking “MIS-
 6 SION NEED” and inserting “AUTHORIZATION”; and

7 (2) in subparagraph (A), by striking “determine
 8 the mission need” and inserting “provide”.

9 **SEC. 6704. ADVANCED NUCLEAR FUEL SECURITY PRO-**
 10 **GRAM.**

11 (a) **IN GENERAL.**—Subtitle E of title IX of the En-
 12 ergy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as
 13 amended by section 6702(a)) is amended by adding at the
 14 end the following:

15 **“SEC. 960. ADVANCED NUCLEAR FUEL SECURITY PRO-**
 16 **GRAM.**

17 “(a) **DEFINITIONS.**—In this section:

18 “(1) **HALEU TRANSPORTATION PACKAGE.**—
 19 The term ‘HALEU transportation package’ means a
 20 transportation package that is suitable for trans-
 21 porting high-assay, low-enriched uranium.

22 “(2) **HIGH-ASSAY, LOW-ENRICHED URANIUM.**—
 23 The term ‘high-assay, low-enriched uranium’ means
 24 uranium with an assay greater than 5 weight per-
 25 cent, but less than 20 weight percent, of the ura-
 26 nium-235 isotope.

1 “(3) HIGH-ENRICHED URANIUM.—The term
2 ‘high-enriched uranium’ means uranium with an
3 assay of 20 weight percent or more of the uranium-
4 235 isotope.

5 “(b) HIGH-ASSAY, LOW-ENRICHED URANIUM PRO-
6 GRAM FOR ADVANCED REACTORS.—

7 “(1) ESTABLISHMENT.—Not later than 1 year
8 after the date of enactment of this section, the Sec-
9 retary shall establish a program to make available
10 high-assay, low-enriched uranium, through contracts
11 for sale, resale, transfer, or lease, for use in com-
12 mercial or noncommercial advanced nuclear reactors.

13 “(2) NUCLEAR FUEL OWNERSHIP.—Each lease
14 under this subsection shall include a provision estab-
15 lishing that the high-assay, low-enriched uranium
16 that is the subject of the lease shall remain the
17 property of the Department, including with respect
18 to responsibility for the storage, use, or final disposi-
19 tion of all radioactive waste created by the irradiation,
20 processing, or purification of any leased high-
21 assay, low-enriched uranium.

22 “(3) QUANTITY.—In carrying out the program
23 under this subsection, the Secretary shall make
24 available—

1 “(A) by December 31, 2022, high-assay,
2 low-enriched uranium containing not less than
3 2 metric tons of the uranium-235 isotope; and

4 “(B) by December 31, 2025, high-assay,
5 low-enriched uranium containing not less than
6 10 metric tons of the uranium-235 isotope (as
7 determined including the quantities of the ura-
8 nium-235 isotope made available before Decem-
9 ber 31, 2022).

10 “(4) FACTORS FOR CONSIDERATION.—In car-
11 rying out the program under this subsection, the
12 Secretary shall take into consideration—

13 “(A) options for providing the high-assay,
14 low-enriched uranium under this subsection
15 from a stockpile of uranium owned by the De-
16 partment (including the National Nuclear Secu-
17 rity Administration), including—

18 “(i) fuel that—

19 “(I) directly meets the needs of
20 an end-user; but

21 “(II) has been previously used or
22 fabricated for another purpose;

23 “(ii) fuel that can meet the needs of
24 an end-user after removing radioactive or
25 other contaminants that resulted from a

1 previous use or fabrication of the fuel for
2 research, development, demonstration, or
3 deployment activities of the Department
4 (including activities of the National Nu-
5 clear Security Administration); and

6 “(iii) fuel from a high-enriched ura-
7 nium stockpile, which can be blended with
8 lower-assay uranium to become high-assay,
9 low-enriched uranium to meet the needs of
10 an end-user; and

11 “(B) requirements to support molyb-
12 denum-99 production under the American Med-
13 ical Isotopes Production Act of 2012 (Public
14 Law 112–239; 126 Stat. 2211).

15 “(5) LIMITATIONS.—

16 “(A) FINAL DISPOSITION OF RADIOACTIVE
17 WASTE.—The Secretary shall not barter or oth-
18 erwise sell or transfer uranium in any form in
19 exchange for services relating to the final dis-
20 position of radioactive waste from uranium that
21 is the subject of a lease under this subsection.

22 “(B) NATIONAL SECURITY NEEDS.—The
23 Secretary shall only make available from De-
24 partment stockpiles under this subsection high-

1 assay, low-enriched uranium that is not needed
2 for national security.

3 “(6) SUNSET.—The program under this sub-
4 section shall terminate on the earlier of—

5 “(A) January 1, 2035; and

6 “(B) the date on which uranium enriched
7 up to, but not equal to, 20 weight percent can
8 be obtained in the commercial market from do-
9 mestic suppliers.

10 “(c) REPORT.—

11 “(1) IN GENERAL.—Not later than 180 days
12 after the date of enactment of this section, the Sec-
13 retary shall submit to the appropriate committees of
14 Congress a report that describes actions proposed to
15 be carried out by the Secretary—

16 “(A) under the program under subsection
17 (b); or

18 “(B) otherwise to enable the commercial
19 use of high-assay, low-enriched uranium.

20 “(2) COORDINATION AND STAKEHOLDER
21 INPUT.—In developing the report under this sub-
22 section, the Secretary shall seek input from—

23 “(A) the Nuclear Regulatory Commission;

24 “(B) the National Laboratories;

25 “(C) institutions of higher education;

1 “(D) producers of medical isotopes;

2 “(E) a diverse group of entities operating
3 in the nuclear energy industry; and

4 “(F) a diverse group of technology devel-
5 opers.

6 “(3) COST AND SCHEDULE ESTIMATES.—The
7 report under this subsection shall include estimated
8 costs, budgets, and timeframes for enabling the use
9 of high-assay, low-enriched uranium.

10 “(4) REQUIRED EVALUATIONS.—The report
11 under this subsection shall evaluate—

12 “(A) the costs and actions required to es-
13 tablish and carry out the program under sub-
14 section (b), including with respect to—

15 “(i) proposed preliminary terms for
16 the sale, resale, transfer, and leasing of
17 high-assay, low-enriched uranium (includ-
18 ing guidelines defining the roles and re-
19 sponsibilities between the Department and
20 the purchaser, transfer recipient, or les-
21 see); and

22 “(ii) the potential to coordinate with
23 purchasers, transfer recipients, and lessees
24 regarding—

25 “(I) fuel fabrication; and

1 “(II) fuel transport;

2 “(B) the potential sources and fuel forms
3 available to provide uranium for the program
4 under subsection (b);

5 “(C) options to coordinate the program
6 under subsection (b) with the operation of the
7 versatile reactor-based fast neutron source
8 under section 955(c)(1);

9 “(D) the ability of the domestic uranium
10 market to provide materials for advanced nu-
11 clear reactor fuel; and

12 “(E) any associated legal, regulatory, and
13 policy issues that should be addressed to en-
14 able—

15 “(i) the program under subsection (b);

16 and

17 “(ii) the establishment of a domestic
18 industry capable of providing high-assay,
19 low-enriched uranium for commercial and
20 noncommercial purposes, including with re-
21 spect to the needs of—

22 “(I) the Department;

23 “(II) the Department of Defense;

24 and

1 “(III) the National Nuclear Se-
2 curity Administration.

3 “(d) HALEU TRANSPORTATION PACKAGE RE-
4 SEARCH PROGRAM.—

5 “(1) IN GENERAL.—As soon as practicable
6 after the date of enactment of this section, the Sec-
7 retary shall establish a research, development, and
8 demonstration program under which the Secretary
9 shall provide financial assistance, on a competitive
10 basis, to establish the capability to transport high-
11 assay, low-enriched uranium.

12 “(2) REQUIREMENT.—The focus of the pro-
13 gram under this subsection shall be to establish 1 or
14 more HALEU transportation packages that can be
15 certified by the Nuclear Regulatory Commission to
16 transport high-assay, low-enriched uranium to the
17 various facilities involved in producing or using nu-
18 clear fuel containing high-assay, low-enriched ura-
19 nium, such as—

20 “(A) enrichment facilities;

21 “(B) fuel processing facilities;

22 “(C) fuel fabrication facilities; and

23 “(D) nuclear reactors.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 of the Energy Policy Act of 2005 (Public Law 109–58;

1 119 Stat. 594; 132 Stat. 3160) (as amended by section
2 6702(b)) is amended by inserting after the item relating
3 to section 959B the following:

“Sec. 960. Advanced nuclear fuel security program.”.

4 **SEC. 6705. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.**

5 Section 313 of the Energy and Water Development
6 and Related Agencies Appropriations Act, 2009 (42
7 U.S.C. 16274a) is amended to read as follows:

8 **“SEC. 313. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) ADVANCED NUCLEAR REACTOR.—The
11 term ‘advanced nuclear reactor’ means—

12 “(A) a nuclear fission reactor, including a
13 prototype plant (as defined in sections 50.2 and
14 52.1 of title 10, Code of Federal Regulations
15 (or successor regulations)), with significant im-
16 provements compared to the most recent gen-
17 eration of fission reactors, including improve-
18 ments such as—

19 “(i) additional inherent safety fea-
20 tures;

21 “(ii) lower waste yields;

22 “(iii) improved fuel performance;

23 “(iv) increased tolerance to loss of
24 fuel cooling;

25 “(v) enhanced reliability;

1 “(vi) increased proliferation resist-
2 ance;

3 “(vii) increased thermal efficiency;

4 “(viii) reduced consumption of cooling
5 water;

6 “(ix) the ability to integrate into elec-
7 tric applications and nonelectric applica-
8 tions;

9 “(x) modular sizes to allow for deploy-
10 ment that corresponds with the demand
11 for electricity; or

12 “(xi) operational flexibility to respond
13 to changes in demand for electricity and to
14 complement integration with intermittent
15 renewable energy; and

16 “(B) a fusion reactor.

17 “(2) INSTITUTION OF HIGHER EDUCATION.—

18 The term ‘institution of higher education’ has the
19 meaning given the term in section 101(a) of the
20 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

21 “(3) PROGRAM.—The term ‘Program’ means
22 the University Nuclear Leadership Program estab-
23 lished under subsection (b).

24 “(b) ESTABLISHMENT.—The Secretary of Energy,
25 the Administrator of the National Nuclear Security Ad-

1 ministration, and the Chairman of the Nuclear Regulatory
2 Commission shall jointly establish a program, to be known
3 as the ‘University Nuclear Leadership Program’.

4 “(c) USE OF FUNDS.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), amounts made available to carry out the
7 Program shall be used to provide financial assistance
8 for scholarships, fellowships, and research and devel-
9 opment projects at institutions of higher education
10 in areas relevant to the programmatic mission of the
11 applicable Federal agency, with an emphasis on pro-
12 viding the financial assistance with respect to re-
13 search, development, demonstration, and deployment
14 activities for technologies relevant to advanced nu-
15 clear reactors, including relevant fuel cycle tech-
16 nologies.

17 “(2) EXCEPTION.—Notwithstanding paragraph
18 (1), amounts made available to carry out the Pro-
19 gram may be used to provide financial assistance for
20 a scholarship, fellowship, or multiyear research and
21 development project that does not align directly with
22 a programmatic mission of the applicable Federal
23 agency providing the financial assistance, if the ac-
24 tivity for which assistance is provided would facili-

1 tate the maintenance of the discipline of nuclear
2 science or engineering.

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out the Pro-
5 gram for fiscal year 2021 and each fiscal year thereafter—

6 “(1) \$30,000,000 to the Secretary of Energy;
7 and

8 “(2) \$15,000,000 to the Nuclear Regulatory
9 Commission.”.

10 **SEC. 6706. ADJUSTING STRATEGIC PETROLEUM RESERVE**
11 **MANDATED DRAWDOWNS.**

12 (a) BIPARTISAN BUDGET ACT OF 2015.—Section
13 403(a) of the Bipartisan Budget Act of 2015 (42 U.S.C.
14 6241 note; Public Law 114–74) is amended—

15 (1) by striking paragraph (6);

16 (2) by redesignating paragraphs (7) and (8) as
17 paragraphs (6) and (7), respectively; and

18 (3) in paragraph (7) (as so redesignated), by
19 striking “10,000,000” and inserting “20,000,000”.

20 (b) FIXING AMERICA’S SURFACE TRANSPORTATION
21 ACT.—Section 32204(a)(1) of the FAST Act (42 U.S.C.
22 6241 note; Public Law 114–94) is amended—

23 (1) in subparagraph (B)—

24 (A) by striking “16,000,000” and inserting
25 “11,000,000”; and

1 (B) by striking “2023” and inserting
2 “2022”; and

3 (2) in subparagraph (C), by striking
4 “25,000,000” and inserting “30,000,000”.

5 (c) AMERICA’S WATER INFRASTRUCTURE ACT OF
6 2018.—Section 3009(a)(1) of America’s Water Infra-
7 structure Act of 2018 (42 U.S.C. 6241 note; Public Law
8 115–270) is amended by striking “2028” and inserting
9 “2030.”

10 (d) BIPARTISAN BUDGET ACT OF 2018.—Section
11 30204(a)(1) of the Bipartisan Budget Act of 2018 (42
12 U.S.C. 6241 note; Public Law 115–123) is amended by
13 striking subparagraphs (A) through (C) and inserting the
14 following:

15 “(A) 7,500,000 barrels of crude oil during
16 fiscal year 2022;

17 “(B) 7,500,000 barrels of crude oil during
18 fiscal year 2024;

19 “(C) 15,000,000 barrels of crude oil dur-
20 ing fiscal year 2025;

21 “(D) 30,000,000 barrels of crude oil dur-
22 ing fiscal year 2029; and

23 “(E) 40,000,000 barrels of crude oil dur-
24 ing fiscal year 2030.”.

1 (e) RECONCILIATION ON THE BUDGET FOR 2018.—
 2 Section 20003(a)(1) of Public Law 115–97 (42 U.S.C.
 3 6241 note) is amended by striking “the period of fiscal
 4 years 2026 through 2027” and inserting “fiscal year
 5 2030”.

6 **TITLE LXXVIII—MILITARY CON-**
 7 **STRUCTION AND GENERAL**
 8 **PROVISIONS**

9 **Subtitle A—Military Construction**
 10 **Program**

11 **SEC. 7801. MODIFICATION TO AUTHORITY FOR MILITARY**
 12 **CONSTRUCTION PROJECTS FOR CHILD DE-**
 13 **VELOPMENT CENTERS AT MILITARY INSTAL-**
 14 **LATIONS.**

15 Section 2809(b) of the National Defense Authoriza-
 16 tion Act for Fiscal Year 2020 is amended—

17 (1) in paragraph (1), by inserting “and annu-
 18 ally thereafter,” after “this Act,”; and

19 (2) in paragraph (2)—

20 (A) in subparagraph (A), by striking “the
 21 report” and inserting “a report”; and

22 (B) in subparagraph (B), by inserting “in
 23 which the project is included” before the period
 24 at the end.

1 **SEC. 7802. MODIFICATION OF CONSTRUCTION OF GROUND-**
2 **BASED STRATEGIC DETERRENT LAUNCH FA-**
3 **CILITIES AND LAUNCH CENTERS FOR THE**
4 **AIR FORCE.**

5 Subsection (e) of section 2802 is deemed to read as
6 follows:

7 “(e) FUNDING.—

8 “(1) IN GENERAL.—Of the amount authorized
9 to be appropriated for fiscal year 2021 as specified
10 in the funding table in section 4601, the Secretary
11 of the Air Force may expend not more than
12 \$15,000,000 for the purposes of planning and de-
13 sign to support the projects described in subsection
14 (a).

15 “(2) INCREASE.—The amount authorized to be
16 appropriated for fiscal year 2021 for military con-
17 struction for the Air Force is hereby increased by
18 \$15,000,000, with the amount of the increase to be
19 designated to Air Force, Unspecified Worldwide Lo-
20 cations, Planning and Design.

21 “(3) OFFSET.—The amount authorized to be
22 appropriated for fiscal year 2021 for operation and
23 maintenance for the Army is hereby reduced by
24 \$15,000,000, with the amount of the reduction to be
25 derived from subactivity group 421, Servicewide
26 Transportation.”.

1 **Subtitle B—Military Family**
2 **Housing**

3 **SEC. 7821. INCLUSION OF ASSESSMENT OF PERFORMANCE**
4 **METRICS IN ANNUAL PUBLICATION ON USE**
5 **OF INCENTIVE FEES FOR PRIVATIZED MILI-**
6 **TARY HOUSING PROJECTS.**

7 (a) IN GENERAL.—Section 2891c of title 10, United
8 States Code, is amended—

9 (1) by striking the section heading and insert-
10 ing the following: “**Transparency regarding**
11 **finances and performance metrics**”;

12 (2) in subsection (b)—

13 (A) in the subsection heading, by inserting
14 “PERFORMANCE METRICS AND” before “USE
15 OF INCENTIVE FEES”;

16 (B) in paragraph (1), by striking “publicly
17 accessible website, information” and inserting
18 “publicly accessible website—

19 “(A) for each contract for the provision or man-
20 agement of housing units—

21 “(i) an assessment of indicators underlying
22 the performance metrics under such contract to
23 ensure such indicators adequately measure the
24 condition and quality of the home or homes cov-
25 ered by the contract, including—

- 1 “(I) resident satisfaction;
- 2 “(II) maintenance management;
- 3 “(III) project safety; and
- 4 “(IV) financial management; and
- 5 “(ii) a detailed description of each indi-
- 6 cator assessed under subparagraph (A), includ-
- 7 ing an indication of—
- 8 “(I) the limitations of available survey
- 9 data;
- 10 “(II) how resident satisfaction and
- 11 maintenance management is calculated;
- 12 and
- 13 “(III) whether data is missing; and
- 14 “(B) information”; and
- 15 (C) in paragraph (2), by striking “para-
- 16 graph (1)” and inserting “paragraph (1)(B)”.

17 (b) CLERICAL AMENDMENT.—The table of sections

18 at the beginning of subchapter V of chapter 169 of such

19 title is amended by striking the item relating to section

20 2891c and inserting the following new item:

“2891c. Transparency regarding finances and performance metrics.”.

1 **Subtitle D—Land Conveyances**

2 **SEC. 7861. ESTABLISHMENT OF INTERAGENCY COMMIT-**
 3 **TEES ON JOINT USE OF CERTAIN LAND WITH-**
 4 **DRAWN FROM APPROPRIATION UNDER PUB-**
 5 **LIC LAND LAWS.**

6 (a) INTERAGENCY EXECUTIVE COMMITTEE ON
 7 JOINT USE BY DEPARTMENT OF THE NAVY AND DEPART-
 8 MENT OF THE INTERIOR OF NAVAL AIR STATION FALLON
 9 RANGES.—Section 3011(a) of the Military Lands With-
 10 drawal Act of 1999 (Public Law 106–65; 113 Stat. 885)
 11 is amended by adding at the end the following new para-
 12 graph:

13 “(5) INTERGOVERNMENTAL EXECUTIVE COM-
 14 MITTEE.—

15 “(A) ESTABLISHMENT.—The Secretary of
 16 the Navy and the Secretary of the Interior shall
 17 jointly establish, by memorandum of under-
 18 standing, an intergovernmental executive com-
 19 mittee (referred to in this paragraph as the ‘ex-
 20 ecutive committee’), for the purpose of exchang-
 21 ing views, information, and advice relating to
 22 the management of the natural and cultural re-
 23 sources of the land described in paragraph (2).

24 “(B) MEMORANDUM OF UNDER-
 25 STANDING.—The memorandum of under-

1 standing entered into under subparagraph (A)
2 shall include—

3 “(i) a description of the officials and
4 other individuals to be invited to partici-
5 pate as members in the executive com-
6 mittee under subparagraph (C);

7 “(ii) a description of the duties of the
8 Chairperson and Vice Chairperson of the
9 executive committee; and

10 “(iii) subject to subparagraphs (D)
11 and (E), a procedure for—

12 “(I) creating a forum to carry
13 out the purpose described in subpara-
14 graph (A);

15 “(II) rotating the Chairperson of
16 the executive committee; and

17 “(III) scheduling regular meet-
18 ings of the executive committee.

19 “(C) MEMBERSHIP.—The executive com-
20 mittee shall be comprised of—

21 “(i) 1 representative of the Nevada
22 Department of Wildlife;

23 “(ii) 1 representative of the Nevada
24 Department of Conservation and Natural
25 Resources;

1 “(iii) 1 county commissioner from
2 each of Churchill, Lyon, Nye, Mineral, and
3 Pershing Counties, Nevada;

4 “(iv) 1 representative of each Indian
5 tribe in the vicinity of the land described
6 in paragraph (2); and

7 “(v) not more than 3 members that
8 the Secretary of the Navy and the Sec-
9 retary of the Interior jointly determine
10 would advance the goals and objectives of
11 the executive committee.

12 “(D) CHAIRPERSON AND VICE CHAIR-
13 PERSON.—The members of the executive com-
14 mittee shall elect from among the members—

15 “(i) 1 member to serve as Chairperson
16 of the executive committee; and

17 “(ii) 1 member to serve as Vice Chair-
18 person of the executive committee.

19 “(E) MEETINGS.—

20 “(i) FREQUENCY.—The executive
21 committee shall meet not less frequently
22 than 3 times each calendar year.

23 “(ii) LOCATION.—The location of the
24 meetings of the executive committee shall

1 rotate to facilitate ease of access for all
2 members of the executive committee.

3 “(iii) PUBLIC ACCESSIBILITY.—The
4 meetings of the executive committee
5 shall—

6 “(I) be open to the public; and

7 “(II) serve as a forum for the
8 public to provide comments regarding
9 the natural and cultural resources of
10 the land described in paragraph (2).

11 “(F) CONDITIONS AND TERMS.—

12 “(i) IN GENERAL.—Each member of
13 the executive committee shall serve volun-
14 tarily and without compensation.

15 “(ii) TERM OF APPOINTMENT.—

16 “(I) IN GENERAL.—Except as
17 provided in subclause (II)(bb), each
18 member of the executive committee
19 shall be appointed for a term of 4
20 years.

21 “(II) ORIGINAL MEMBERS.—Of
22 the members initially appointed to the
23 executive committee, the Secretary of
24 the Navy and the Secretary of the In-
25 terior shall select—

1 “(aa) 1/2 to serve for a term
2 of 4 years; and

3 “(bb) 1/2 to serve for a term
4 of 2 years.

5 “(iii) REAPPOINTMENT AND REPLACE-
6 MENT.—The Secretary of the Navy and
7 the Secretary of the Interior may reappoint
8 or replace, as appropriate, a member of the
9 executive committee if—

10 “(I) the term of the member has
11 expired;

12 “(II) the member has resigned;
13 or

14 “(III) the position held by the
15 member has changed to the extent
16 that the ability of the member to rep-
17 resent the group or entity that the
18 member represents has been signifi-
19 cantly affected.

20 “(G) LIAISONS.—The Secretary of the
21 Navy and the Secretary of the Interior shall
22 each appoint appropriate operational and land
23 management personnel of the Department of
24 the Navy and the Department of the Interior,

1 respectively, to serve as liaisons to the executive
2 committee.”.

3 (b) JOINT ACCESS AND USE BY DEPARTMENT OF
4 THE AIR FORCE AND DEPARTMENT OF THE INTERIOR OF
5 NEVADA TEST AND TRAINING RANGE AND DESERT NA-
6 TIONAL WILDLIFE REFUGE.—

7 (1) UNITED STATES FISH AND WILDLIFE SERV-
8 ICE AND DEPARTMENT OF THE AIR FORCE COORDI-
9 NATION.—Section 3011(b)(5) of the Military Lands
10 Withdrawal Act of 1999 (Public Law 106–65; 113
11 Stat. 887) is amended by adding at the end the fol-
12 lowing new subparagraph:

13 “(G) INTERAGENCY COMMITTEE.—

14 “(i) IN GENERAL.—The Secretary of
15 the Interior and the Secretary of the Air
16 Force shall jointly establish an interagency
17 committee (referred to in this subpara-
18 graph as the ‘interagency committee’) to
19 facilitate coordination, manage public ac-
20 cess needs and requirements, and minimize
21 potential conflict between the Department
22 of the Interior and the Department of the
23 Air Force with respect to joint operating
24 areas within the Desert National Wildlife
25 Refuge.

1 “(ii) MEMBERSHIP.—The interagency
2 committee shall include only the following
3 members:

4 “(I) Representatives from the
5 United States Fish and Wildlife Serv-
6 ice.

7 “(II) Representatives from the
8 Department of the Air Force.

9 “(III) The Project Leader of the
10 Desert National Wildlife Refuge Com-
11 plex.

12 “(IV) The Commander of the
13 Nevada Test and Training Range,
14 Nellis Air Force Base.

15 “(iii) REPORT TO CONGRESS.—The
16 interagency committee shall biannually
17 submit to the Committees on Armed Serv-
18 ices, Environment and Public Works, and
19 Energy and Natural Resources of the Sen-
20 ate and the Committees on Armed Services
21 and Natural Resources of the House of
22 Representatives, and make available pub-
23 licly online, a report on the activities of the
24 interagency committee.”.

1 (2) INTERGOVERNMENTAL EXECUTIVE COM-
2 MITTEE.—Such section is further amended by add-
3 ing at the end the following new subparagraph:

4 “(H) INTERGOVERNMENTAL EXECUTIVE
5 COMMITTEE.—

6 “(i) ESTABLISHMENT.—The Secretary
7 of the Interior and the Secretary of the Air
8 Force shall jointly establish, by memo-
9 randum of understanding, an intergovern-
10 mental executive committee (referred to in
11 this subparagraph as the ‘executive com-
12 mittee’) in accordance with this subpara-
13 graph.

14 “(ii) PURPOSE.—The executive com-
15 mittee shall be established for the purposes
16 of—

17 “(I) exchanging views, informa-
18 tion, and advice relating to the man-
19 agement of the natural and cultural
20 resources of the lands withdrawn and
21 reserved by this section; and

22 “(II) discussing and making rec-
23 ommendations to the interagency com-
24 mittee established under subpara-

1 graph (G) with respect to public ac-
2 cess needs and requirements.

3 “(iii) COMPOSITION.—The executive
4 committee shall comprise the following
5 members:

6 “(I) FEDERAL AGENCIES.—The
7 Secretary of the Interior and the Sec-
8 retary of the Air Force shall each ap-
9 point 1 representative from an inter-
10 ested Federal agency.

11 “(II) STATE GOVERNMENT.—The
12 Secretary of the Interior and the Sec-
13 retary of the Air Force shall jointly
14 invite 1 representative of the Nevada
15 Department of Wildlife.

16 “(III) LOCAL GOVERNMENTS.—
17 The Secretary of the Interior and the
18 Secretary of the Air Force shall joint-
19 ly invite 1 county commissioner of
20 each of Clark, Nye, and Lincoln
21 Counties, Nevada.

22 “(IV) TRIBAL GOVERNMENTS.—
23 The Secretary of the Interior and the
24 Secretary of the Air Force shall joint-
25 ly invite 1 representative of each In-

1 dian tribe in the vicinity of the por-
2 tions of the joint use area of the
3 Desert National Wildlife Refuge
4 where the Secretary of the Interior ex-
5 ercises primary jurisdiction.

6 “(V) PUBLIC.—The Secretary of
7 the Interior and the Secretary of the
8 Air Force shall jointly invite not more
9 than 3 private individuals who the
10 Secretary of the Interior and the Sec-
11 retary of the Air Force jointly deter-
12 mine would further the goals and ob-
13 jectives of the executive committee.

14 “(VI) ADDITIONAL MEMBERS.—
15 The Secretary of the Interior and the
16 Secretary of the Air Force may des-
17 ignate such additional members as the
18 Secretary of the Interior and the Sec-
19 retary of the Air Force jointly deter-
20 mine to be appropriate.

21 “(iv) OPERATION.—The executive
22 committee shall operate in accordance with
23 the terms set forth in the memorandum of
24 understanding under clause (i), which shall
25 specify the officials or other individuals to

1 be invited to participate in the executive
2 committee in accordance with clause (iii).

3 “(v) PROCEDURES.—Subject to
4 clauses (vi) and (vii), the memorandum of
5 understanding under clause (i) shall estab-
6 lish procedures for—

7 “(I) creating a forum for car-
8 rying out the purpose described in
9 clause (ii);

10 “(II) rotating the Chairperson of
11 the executive committee; and

12 “(III) scheduling regular meet-
13 ings.

14 “(vi) CHAIRPERSON AND VICE CHAIR-
15 PERSON.—

16 “(I) IN GENERAL.—The members
17 of the executive committee shall elect
18 from among the members—

19 “(aa) 1 member to serve as
20 the Chairperson of the executive
21 committee; and

22 “(bb) 1 member to serve as
23 the Vice Chairperson of the exec-
24 utive committee.

1 “(II) DUTIES.—The duties of
2 each of the Chairperson and the Vice
3 Chairperson shall be included in the
4 memorandum of understanding under
5 clause (i).

6 “(vii) MEETINGS.—

7 “(I) FREQUENCY.—The executive
8 committee shall meet not less fre-
9 quently than 3 times each calendar
10 year.

11 “(II) MEETING LOCATIONS.—Lo-
12 cations of meetings of the executive
13 committee shall rotate to facilitate
14 ease of access for all executive com-
15 mittee members.

16 “(III) PUBLIC ACCESSIBILITY.—
17 Meetings of the executive committee
18 shall—

19 “(aa) be open to the public;
20 and

21 “(bb) provide a forum for
22 the public to provide comment re-
23 garding the management of, and
24 public access to, the Nevada Test

1 and Training Range and the
2 Desert National Wildlife Refuge.

3 “(viii) CONDITIONS AND TERMS OF
4 APPOINTMENT.—

5 “(I) IN GENERAL.—Each mem-
6 ber of the executive committee shall
7 serve voluntarily and without com-
8 pensation.

9 “(II) TERM OF APPOINTMENT.—

10 “(aa) IN GENERAL.—Each
11 member of the executive com-
12 mittee shall be appointed for a
13 term of 4 years.

14 “(bb) ORIGINAL MEM-
15 BERS.—Notwithstanding item
16 (aa), the Secretary of the Interior
17 and the Secretary of the Air
18 Force shall select—

19 “(AA) $\frac{1}{2}$ of the origi-
20 nal members of the executive
21 committee to serve for a
22 term of 4 years; and

23 “(BB) $\frac{1}{2}$ of the origi-
24 nal members of the executive

1 committee to serve for a
2 term of 2 years.

3 “(III) REAPPOINTMENT AND RE-
4 PLACEMENT.—The Secretary of the
5 Interior and the Secretary of the Air
6 Force may reappoint or replace a
7 member of the executive committee
8 if—

9 “(aa) the term of the mem-
10 ber has expired;

11 “(bb) the member has re-
12 signed; or

13 “(cc) the position held by
14 the member has changed to the
15 extent that the ability of the
16 member to represent the group
17 or entity that the member rep-
18 resents has been significantly af-
19 fected.

20 “(ix) LIAISONS.—The Secretary of the
21 Air Force and the Secretary of the Interior
22 shall each appoint appropriate operational
23 and land management personnel of the De-
24 partment of the Air Force and the Depart-
25 ment of the Interior, respectively, to par-

1 ticipate in, and serve as liaisons to, the ex-
2 ecutive committee.”.

3 **SEC. 7862. LEASE EXTENSION FOR BRYAN MULTI-SPORTS**
4 **COMPLEX, WAYNE COUNTY, NORTH CARO-**
5 **LINA.**

6 (a) **AUTHORITY.**—The Secretary of the Air Force
7 may extend to the City of Goldsboro the existing lease of
8 the approximately 62-acre Bryan Multi-Sports Complex
9 located in Wayne County, North Carolina, for the purpose
10 of operating a sports and recreation facility for the benefit
11 of both the Air Force and the community.

12 (b) **DURATION.**—At the option of the Secretary of the
13 Air Force, the lease entered into under this section may
14 be extended for up to 30 additional years with a total lease
15 period not to exceed 50 years.

16 (c) **PAYMENTS UNDER THE LEASE.**—The Secretary
17 of the Air Force may waive the requirement under section
18 2667(b)(4) of title 10, United States Code, with respect
19 to the lease entered into under this section if the Secretary
20 determines that the lease enhances the quality of life of
21 members of the Armed Forces.

22 (d) **SENSE OF SENATE.**—It is the Sense of the Sen-
23 ate regarding the conditions governing the extension of the
24 current lease for the Bryan Multi-Sports Complex that—

1 (1) the Senate has determined it is in the best
2 interest of the community and the Air Force to ex-
3 tend the lease at no cost;

4 (2) the current lease allowed the Air Force to
5 close their sports field on Seymour-Johnson Air
6 Force Base and resulted in a savings of \$15,000 per
7 year in utilities and grounds maintenance costs;

8 (3) the current sports complex reduces force
9 protection vulnerability now that the sports complex
10 is located outside the fence line of the installation;
11 and

12 (4) the facility has improved the quality of life
13 for military families stationed at Seymour-Johnson
14 Air Force Base by allowing members of the Armed
15 Forces and their families to have access to world
16 class sports facilities located adjacent to the installa-
17 tion and on-base privatized housing with easy access
18 by junior enlisted members residing in the dorms.

19 **Subtitle E—Other Matters**

20 **SEC. 7881. SENSE OF CONGRESS ON RELOCATION OF JOINT** 21 **SPECTRUM CENTER.**

22 It is the Sense of Congress that Congress strongly
23 recommends that the Director of the Defense Information
24 Systems Agency begin the process for the relocation of the
25 Joint Spectrum Center of the Department of Defense to

1 the building at Fort Meade that is allocated for such cen-
2 ter.

3 **TITLE LXXXI—DEPARTMENT OF**
4 **ENERGY NATIONAL SECURITY**
5 **PROGRAMS**

6 **Subtitle F—Other Matters**

7 **SEC. 8159. EXTENSION AND EXPANSION OF LIMITATIONS**
8 **ON IMPORTATION OF URANIUM FROM RUS-**
9 **SIAN FEDERATION.**

10 Section 3158 and the amendments made by that sec-
11 tion shall have no force or effect.

12 **DIVISION F—INTELLIGENCE AU-**
13 **THORIZATION ACT FOR FIS-**
14 **CAL YEAR 2021**

15 **SEC. 9001. SHORT TITLE.**

16 This division may be cited as the “Intelligence Au-
17 thorization Act for Fiscal Year 2021”.

18 **SEC. 9002. DEFINITIONS.**

19 In this division:

20 (1) **CONGRESSIONAL INTELLIGENCE COMMIT-**
21 **TEES.**—The term “congressional intelligence com-
22 mittees” has the meaning given such term in section
23 3 of the National Security Act of 1947 (50 U.S.C.
24 3003).

1 (2) INTELLIGENCE COMMUNITY.—The term
2 “intelligence community” has the meaning given
3 such term in such section.

4 **TITLE XCI—INTELLIGENCE**
5 **ACTIVITIES**

6 **SEC. 9101. AUTHORIZATION OF APPROPRIATIONS.**

7 Funds are hereby authorized to be appropriated for
8 fiscal year 2021 for the conduct of the intelligence and
9 intelligence-related activities of the following elements of
10 the United States Government:

11 (1) The Office of the Director of National Intel-
12 ligence.

13 (2) The Central Intelligence Agency.

14 (3) The Department of Defense.

15 (4) The Defense Intelligence Agency.

16 (5) The National Security Agency.

17 (6) The Department of the Army, the Depart-
18 ment of the Navy, and the Department of the Air
19 Force.

20 (7) The Coast Guard.

21 (8) The Department of State.

22 (9) The Department of the Treasury.

23 (10) The Department of Energy.

24 (11) The Department of Justice.

25 (12) The Federal Bureau of Investigation.

1 (13) The Drug Enforcement Administration.

2 (14) The National Reconnaissance Office.

3 (15) The National Geospatial-Intelligence Agen-
4 cy.

5 (16) The Department of Homeland Security.

6 **SEC. 9102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

7 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
8 authorized to be appropriated under section 9101 for the
9 conduct of the intelligence activities of the elements listed
10 in paragraphs (1) through (16) of section 9101, are those
11 specified in the classified Schedule of Authorizations pre-
12 pared to accompany this division.

13 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
14 THORIZATIONS.—

15 (1) AVAILABILITY.—The classified Schedule of
16 Authorizations referred to in subsection (a) shall be
17 made available to the Committee on Appropriations
18 of the Senate, the Committee on Appropriations of
19 the House of Representatives, and to the President.

20 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
21 ject to paragraph (3), the President shall provide for
22 suitable distribution of the classified Schedule of Au-
23 thorizations referred to in subsection (a), or of ap-
24 propriate portions of such Schedule, within the exec-
25 utive branch of the Federal Government.

1 (3) LIMITS ON DISCLOSURE.—The President
2 shall not publicly disclose the classified Schedule of
3 Authorizations or any portion of such Schedule ex-
4 cept—

5 (A) as provided in section 601(a) of the
6 Implementing Recommendations of the 9/11
7 Commission Act of 2007 (50 U.S.C. 3306(a));

8 (B) to the extent necessary to implement
9 the budget; or

10 (C) as otherwise required by law.

11 **SEC. 9103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
12 **COUNT.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated for the Intelligence Commu-
15 nity Management Account of the Director of National In-
16 telligence for fiscal year 2021 the sum of \$731,200,000.

17 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
18 TIONS.—In addition to amounts authorized to be appro-
19 priated for the Intelligence Community Management Ac-
20 count by subsection (a), there are authorized to be appro-
21 priated for the Intelligence Community Management Ac-
22 count for fiscal year 2021 such additional amounts as are
23 specified in the classified Schedule of Authorizations re-
24 ferred to in section 9102(a).

1 **TITLE XCII—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

5 **SEC. 9201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 \$514,000,000 for fiscal year 2021.

9 **TITLE XCIII—INTELLIGENCE**
10 **COMMUNITY MATTERS**
11 **Subtitle A—General Intelligence**
12 **Community Matters**

13 **SEC. 9301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
14 **ACTIVITIES.**

15 The authorization of appropriations by this division
16 shall not be deemed to constitute authority for the conduct
17 of any intelligence activity which is not otherwise author-
18 ized by the Constitution or the laws of the United States.

19 **SEC. 9302. INCREASE IN EMPLOYEE COMPENSATION AND**
20 **BENEFITS AUTHORIZED BY LAW.**

21 Appropriations authorized by this division for salary,
22 pay, retirement, and other benefits for Federal employees
23 may be increased by such additional or supplemental
24 amounts as may be necessary for increases in such com-
25 pensation or benefits authorized by law.

1 **SEC. 9303. CLARIFICATION OF AUTHORITIES AND RESPON-**
2 **SIBILITIES OF NATIONAL MANAGER FOR NA-**
3 **TIONAL SECURITY TELECOMMUNICATIONS**
4 **AND INFORMATION SYSTEMS SECURITY.**

5 In carrying out the authorities and responsibilities of
6 the National Manager for National Security Telecommuni-
7 cations and Information Systems Security under National
8 Security Directive 42 (signed by the President on July 5,
9 1990), the National Manager shall not supervise, oversee,
10 or execute, either directly or indirectly, any aspect of the
11 National Intelligence Program.

12 **SEC. 9304. CONTINUITY OF OPERATIONS PLANS FOR CER-**
13 **TAIN ELEMENTS OF THE INTELLIGENCE**
14 **COMMUNITY IN THE CASE OF A NATIONAL**
15 **EMERGENCY.**

16 (a) DEFINITION OF COVERED NATIONAL EMER-
17 GENCY.—In this section, the term “covered national emer-
18 gency” means the following:

19 (1) A major disaster declared by the President
20 under section 401 of the Robert T. Stafford Disaster
21 Relief and Emergency Assistance Act (42 U.S.C.
22 5170).

23 (2) An emergency declared by the President
24 under section 501 of the Robert T. Stafford Disaster
25 Relief and Emergency Assistance Act (42 U.S.C.
26 5191).

1 (3) A national emergency declared by the Presi-
2 dent under the National Emergencies Act (50
3 U.S.C. 1601 et seq.).

4 (4) A public health emergency declared under
5 section 319 of the Public Health Service Act (42
6 U.S.C. 247d).

7 (b) IN GENERAL.—The Director of National Intel-
8 ligence, the Director of the Central Intelligence Agency,
9 the Director of the National Reconnaissance Office, the
10 Director of the Defense Intelligence Agency, the Director
11 of the National Security Agency, and the Director of the
12 National Geospatial-Intelligence Agency shall each estab-
13 lish continuity of operations plans for use in the case of
14 covered national emergencies for the element of the intel-
15 ligence community concerned.

16 (c) SUBMISSION TO CONGRESS.—

17 (1) DIRECTOR OF NATIONAL INTELLIGENCE
18 AND DIRECTOR OF THE CENTRAL INTELLIGENCE
19 AGENCY.—Not later than 7 days after the date on
20 which a covered national emergency is declared, the
21 Director of National Intelligence and the Director of
22 the Central Intelligence Agency shall each submit to
23 the congressional intelligence committees the plan
24 established under subsection (b) for that emergency

1 for the element of the intelligence community con-
2 cerned.

3 (2) DIRECTOR OF NATIONAL RECONNAISSANCE
4 OFFICE, DIRECTOR OF DEFENSE INTELLIGENCE
5 AGENCY, DIRECTOR OF NATIONAL SECURITY AGEN-
6 CY, AND DIRECTOR OF NATIONAL GEOSPATIAL-IN-
7 TELLIGENCE AGENCY.—Not later than 7 days after
8 the date on which a covered national emergency is
9 declared, the Director of the National Reconnaissance
10 Office, the Director of the Defense Intelligence
11 Agency, the Director of the National Security Agen-
12 cy, and the Director of the National Geospatial-In-
13 telligence Agency shall each submit the plan estab-
14 lished under subsection (b) for that emergency for
15 the element of the intelligence community concerned
16 to the following:

17 (A) The congressional intelligence commit-
18 tees.

19 (B) The Committee on Armed Services of
20 the Senate.

21 (C) The Committee on Armed Services of
22 the House of Representatives.

23 (d) UPDATES.—During a covered national emer-
24 gency, the Director of National Intelligence, the Director
25 of the Central Intelligence Agency, the Director of the Na-

1 tional Reconnaissance Office, the Director of the Defense
 2 Intelligence Agency, the Director of the National Security
 3 Agency, and the Director of the National Geospatial-Intel-
 4 ligence Agency shall each submit any updates to the plans
 5 submitted under subsection (c)—

6 (1) in accordance with that subsection; and

7 (2) in a timely manner consistent with section
 8 501 of the National Security Act of 1947 (50 U.S.C.
 9 3091).

10 **SEC. 9305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL**
 11 **III TO POSITION OF DIRECTOR OF NATIONAL**
 12 **RECONNAISSANCE OFFICE.**

13 Section 5314 of title 5, United States Code, is
 14 amended by adding at the end the following:

15 “Director of the National Reconnaissance Of-
 16 fice.”.

17 **SEC. 9306. NATIONAL INTELLIGENCE UNIVERSITY.**

18 (a) IN GENERAL.—Title X of the National Security
 19 Act of 1947 (50 U.S.C. 3191 et seq.) is amended by add-
 20 ing at the end the following:

21 **“Subtitle D—National Intelligence**
 22 **University**

23 **“SEC. 1031. TRANSFER DATE.**

24 “In this subtitle, the term ‘transfer date’ means the
 25 date on which the National Intelligence University is

1 transferred from the Defense Intelligence Agency to the
2 Director of National Intelligence under section 5324(a) of
3 the National Defense Authorization Act for Fiscal Year
4 2020 (Public Law 116–92).

5 **“SEC. 1032. DEGREE-GRANTING AUTHORITY.**

6 “(a) IN GENERAL.—Beginning on the transfer date,
7 under regulations prescribed by the Director of National
8 Intelligence, the President of the National Intelligence
9 University may, upon the recommendation of the faculty
10 of the University, confer appropriate degrees upon grad-
11 uates who meet the degree requirements.

12 “(b) LIMITATION.—A degree may not be conferred
13 under this section unless—

14 “(1) the Secretary of Education has rec-
15 ommended approval of the degree in accordance with
16 the Federal Policy Governing Granting of Academic
17 Degrees by Federal Agencies; and

18 “(2) the University is accredited by the appro-
19 priate academic accrediting agency or organization
20 to award the degree, as determined by the Secretary
21 of Education.

22 “(c) CONGRESSIONAL NOTIFICATION REQUIRE-
23 MENTS.—

1 “(1) ACTIONS ON NONACCREDITATION.—Begin-
2 ning on the transfer date, the Director shall prompt-
3 ly—

4 “(A) notify the congressional intelligence
5 committees of any action by the Middle States
6 Commission on Higher Education, or other ap-
7 propriate academic accrediting agency or orga-
8 nization, to not accredit the University to award
9 any new or existing degree; and

10 “(B) submit to such committees a report
11 containing an explanation of any such action.

12 “(2) MODIFICATION OR REDESIGNATION OF DE-
13 GREE-GRANTING AUTHORITY.—Beginning on the
14 transfer date, upon any modification or redesigna-
15 tion of existing degree-granting authority, the Direc-
16 tor shall submit to the congressional intelligence
17 committees a report containing—

18 “(A) the rationale for the proposed modi-
19 fication or redesignation; and

20 “(B) any subsequent recommendation of
21 the Secretary of Education with respect to the
22 proposed modification or redesignation.

1 **“SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COM-**
2 **PENSATION.**

3 “(a) **AUTHORITY OF DIRECTOR.**—Beginning on the
4 transfer date, the Director of National Intelligence may
5 employ as many professors, instructors, and lecturers at
6 the National Intelligence University as the Director con-
7 siders necessary.

8 “(b) **COMPENSATION OF FACULTY MEMBERS.**—The
9 compensation of persons employed under this section shall
10 be as prescribed by the Director.

11 “(c) **COMPENSATION PLAN.**—The Director shall pro-
12 vide each person employed as a professor, instructor, or
13 lecturer at the University on the transfer date an oppor-
14 tunity to elect to be paid under the compensation plan in
15 effect on the day before the transfer date (with no reduc-
16 tion in pay) or under the authority of this section.

17 **“SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.**

18 “The Director of National Intelligence may authorize
19 the President of the National Intelligence University to
20 accept qualifying research grants in the same manner and
21 to the same degree as the President of the National De-
22 fense University under section 2165(e) of title 10, United
23 States Code.

1 **“SEC. 1035. CONTINUED APPLICABILITY OF THE FEDERAL**
 2 **ADVISORY COMMITTEE ACT TO THE BOARD**
 3 **OF VISITORS.**

4 “The Federal Advisory Committee Act (5 U.S.C.
 5 App.) shall continue to apply to the Board of Visitors of
 6 the National Intelligence University on and after the
 7 transfer date.”.

8 (b) CONFORMING AMENDMENTS.—Section 5324 of
 9 the National Defense Authorization Act for Fiscal Year
 10 2020 (Public Law 116–92) is amended—

11 (1) in subsection (b)(1)(C), by striking “sub-
 12 section (e)(2)” and inserting “section 1032(b) of the
 13 National Security Act of 1947”;

14 (2) by striking subsections (e) and (f); and

15 (3) by redesignating subsections (g) and (h) as
 16 subsections (e) and (f), respectively.

17 (c) CLERICAL AMENDMENT.—The table of contents
 18 of the National Security Act of 1947 is amended by insert-
 19 ing after the item relating to section 1024 the following:

“Subtitle D—National Intelligence University

“Sec. 1031. Transfer date.

“Sec. 1032. Degree-granting authority.

“Sec. 1033. Faculty members; employment and compensation.

“Sec. 1034. Acceptance of faculty research grants.

“Sec. 1035. Continued applicability of the Federal Advisory Committee Act to
 the Board of Visitors.”.

1 **SEC. 9307. REQUIRING FACILITATION OF ESTABLISHMENT**
2 **OF SOCIAL MEDIA DATA AND THREAT ANAL-**
3 **YSIS CENTER.**

4 (a) **REQUIREMENT TO FACILITATE ESTABLISH-**
5 **MENT.**—Subsection (c)(1) of section 5323 of the National
6 Defense Authorization Act for Fiscal Year 2020 (Public
7 Law 116–92) is amended, by striking “may” and inserting
8 “shall”.

9 (b) **DEADLINE TO FACILITATE ESTABLISHMENT.**—
10 Such subsection is further amended by striking “The Di-
11 rector” and inserting “Not later than 180 days after the
12 date of the enactment of the Intelligence Authorization
13 Act for Fiscal Year 2021, the Director”.

14 (c) **CONFORMING AMENDMENTS.**—

15 (1) **REPORTING.**—Subsection (d) of such sec-
16 tion is amended—

17 (A) in the matter before paragraph (1), by
18 striking “If the Director” and all that follows
19 through “the Center, the” and inserting “The”;
20 and

21 (B) in paragraph (1), by striking “180
22 days after the date of the enactment of this
23 Act” and inserting “180 days after the date of
24 the enactment of the Intelligence Authorization
25 Act for Fiscal Year 2021”.

1 (2) FUNDING.—Subsection (f) of such section is
2 amended by striking “fiscal year 2020 and 2021”
3 and inserting “fiscal year 2021 and 2022”.

4 (3) CLERICAL.—Subsection (c) of such section
5 is amended—

6 (A) in the subsection heading, by striking
7 “AUTHORITY” and inserting “REQUIREMENT”;
8 and

9 (B) in paragraph (1), in the paragraph
10 heading, by striking “AUTHORITY” and insert-
11 ing “REQUIREMENT”.

12 **SEC. 9308. DATA COLLECTION ON ATTRITION IN INTEL-**
13 **LIGENCE COMMUNITY.**

14 (a) STANDARDS FOR DATA COLLECTION.—

15 (1) IN GENERAL.—Not later than 90 days after
16 the date of the enactment of this Act, the Director
17 of National Intelligence shall establish standards for
18 collecting data relating to attrition in the intelligence
19 community workforce across demographics, speciali-
20 ties, and length of service.

21 (2) INCLUSION OF CERTAIN CANDIDATES.—The
22 Director shall include, in the standards established
23 under paragraph (1), standards for collecting data
24 from candidates who accepted conditional offers of
25 employment but chose to withdraw from the hiring

1 process before entering into service, including data
2 with respect to the reasons such candidates chose to
3 withdraw.

4 (b) COLLECTION OF DATA.—Not later than 120 days
5 after the date of the enactment of this Act, each element
6 of the intelligence community shall begin collecting data
7 on workforce and candidate attrition in accordance with
8 the standards established under subsection (a).

9 (c) ANNUAL REPORT.—Not later than 1 year after
10 the date of the enactment of this Act, and annually there-
11 after, the Director shall submit to the congressional intel-
12 ligence committees a report on workforce and candidate
13 attrition in the intelligence community that includes—

14 (1) the findings of the Director based on the
15 data collected under subsection (b);

16 (2) recommendations for addressing any issues
17 identified in those findings; and

18 (3) an assessment of timeliness in processing
19 hiring applications of individuals previously em-
20 ployed by an element of the intelligence community,
21 consistent with the Trusted Workforce 2.0 initiative
22 sponsored by the Security Clearance, Suitability, and
23 Credentialing Performance Accountability Council.

1 **SEC. 9309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING ENVIRONMENT.**
2
3

4 (a) **IN GENERAL.**—Section 1016(b) of the Intel-
5 ligence Reform and Terrorism Prevention Act of 2004 (6
6 U.S.C. 485(b)), as amended by section 6402(a) of the Na-
7 tional Defense Authorization Act for Fiscal Year 2020
8 (Public Law 116–92), is further amended—

9 (1) in paragraph (1), in the matter before sub-
10 paragraph (A), by striking “Director of National In-
11 telligence” and inserting “President”;

12 (2) in paragraph (2), by striking “Director of
13 National Intelligence” both places it appears and in-
14 serting “President”; and

15 (3) by adding at the end the following:

16 “(3) **DELEGATION.**—

17 “(A) **IN GENERAL.**—Subject to subpara-
18 graph (B), the President may delegate responsi-
19 bility for carrying out this subsection.

20 “(B) **LIMITATION.**—The President may
21 not delegate responsibility for carrying out this
22 subsection to the Director of National Intel-
23 ligence.”.

24 (b) **EFFECTIVE DATE.**—The amendments made by
25 subsection (a) shall take effect on October 1, 2020.

1 **SEC. 9310. IMPROVEMENTS TO PROVISIONS RELATING TO**
2 **INTELLIGENCE COMMUNITY INFORMATION**
3 **TECHNOLOGY ENVIRONMENT.**

4 Section 6312 of the National Defense Authorization
5 Act for Fiscal Year 2020 (Public Law 116–92) is amended
6 by striking subsections (e) through (i) and inserting the
7 following:

8 “(e) LONG-TERM ROADMAP.—Not later than 180
9 days after the date of the enactment of the Intelligence
10 Authorization Act for Fiscal Year 2021, the Director of
11 National Intelligence shall develop and maintain a long-
12 term roadmap for the intelligence community information
13 technology environment.

14 “(f) BUSINESS PLAN.—Not later than 180 days after
15 the date of the enactment of the Intelligence Authorization
16 Act for Fiscal Year 2021, the Director of National Intel-
17 ligence shall develop and maintain a business plan to im-
18 plement the long-term roadmap required by subsection
19 (e).”

20 **SEC. 9311. REQUIREMENTS AND AUTHORITIES FOR DIREC-**
21 **TOR OF THE CENTRAL INTELLIGENCE AGEN-**
22 **CY TO IMPROVE EDUCATION IN SCIENCE,**
23 **TECHNOLOGY, ENGINEERING, ARTS, AND**
24 **MATHEMATICS.**

25 The Central Intelligence Agency Act of 1949 (50
26 U.S.C. 3501 et seq.) is amended by adding the following:

1 **“SEC. 24. IMPROVEMENT OF EDUCATION IN SCIENCE,**
2 **TECHNOLOGY, ENGINEERING, ARTS, AND**
3 **MATHEMATICS.**

4 “(a) DEFINITIONS.—In this section:

5 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
6 tity’ includes a department or agency of the Federal
7 Government, a State, a political subdivision of a
8 State, an individual, and a not-for-profit or other or-
9 ganization in the private sector.

10 “(2) EDUCATIONAL INSTITUTION.—The term
11 ‘educational institution’ includes any public or pri-
12 vate elementary school or secondary school, institu-
13 tion of higher education, college, university, or any
14 other profit or nonprofit institution that is dedicated
15 to improving science, technology, engineering, the
16 arts, mathematics, business, law, medicine, or other
17 fields that promote development and education relat-
18 ing to science, technology, engineering, the arts, or
19 mathematics.

20 “(3) STATE.—The term ‘State’ means each of
21 the several States, the District of Columbia, the
22 Commonwealth of Puerto Rico, the Commonwealth
23 of the Northern Mariana Islands, and any other ter-
24 ritory or possession of the United States.

25 “(b) REQUIREMENTS.—The Director shall, on a con-
26 tinuing basis—

1 “(1) identify actions that the Director may take
2 to improve education in the scientific, technology,
3 engineering, arts, and mathematics (known as
4 ‘STEAM’) skills necessary to meet the long-term na-
5 tional security needs of the United States for per-
6 sonnel proficient in such skills; and

7 “(2) establish and conduct programs to carry
8 out such actions.

9 “(c) AUTHORITIES.—

10 “(1) IN GENERAL.—The Director, in support of
11 educational programs in science, technology, engi-
12 neering, the arts, and mathematics, may—

13 “(A) award grants to eligible entities;

14 “(B) provide cash awards and other items
15 to eligible entities;

16 “(C) accept voluntary services from eligible
17 entities;

18 “(D) support national competition judging,
19 other educational event activities, and associ-
20 ated award ceremonies in connection with such
21 educational programs; and

22 “(E) enter into one or more education
23 partnership agreements with educational insti-
24 tutions in the United States for the purpose of
25 encouraging and enhancing study in science,

1 technology, engineering, the arts, and mathe-
2 matics disciplines at all levels of education.

3 “(2) EDUCATION PARTNERSHIP AGREE-
4 MENTS.—

5 “(A) NATURE OF ASSISTANCE PRO-
6 VIDED.—Under an education partnership agree-
7 ment entered into with an educational institu-
8 tion under paragraph (1)(E), the Director may
9 provide assistance to the educational institution
10 by—

11 “(i) loaning equipment to the edu-
12 cational institution for any purpose and
13 duration in support of such agreement that
14 the Director considers appropriate;

15 “(ii) making personnel available to
16 teach science courses or to assist in the de-
17 velopment of science courses and materials
18 for the educational institution;

19 “(iii) providing sabbatical opportuni-
20 ties for faculty and internship opportuni-
21 ties for students;

22 “(iv) involving faculty and students of
23 the educational institution in Agency
24 projects, including research and technology
25 transfer or transition projects;

1 “(v) cooperating with the educational
2 institution in developing a program under
3 which students may be given academic
4 credit for work on Agency projects, includ-
5 ing research and technology transfer for
6 transition projects; and

7 “(vi) providing academic and career
8 advice and assistance to students of the
9 educational institution.

10 “(B) PRIORITIES.—In entering into edu-
11 cation partnership agreements under paragraph
12 (1)(E), the Director shall prioritize entering
13 into education partnership agreements with the
14 following:

15 “(i) Historically Black colleges and
16 universities and other minority-serving in-
17 stitutions, as described in section 371(a) of
18 the Higher Education Act of 1965 (20
19 U.S.C. 1067q(a)).

20 “(ii) Educational institutions serving
21 women, members of minority groups, and
22 other groups of individuals who tradition-
23 ally are involved in the science, technology,
24 engineering, arts, and mathematics profes-
25 sions in disproportionately low numbers.

1 “(d) DESIGNATION OF ADVISOR.—The Director shall
 2 designate one or more individuals within the Agency to
 3 advise and assist the Director regarding matters relating
 4 to science, technology, engineering, the arts, and mathe-
 5 matics education and training.”.

6 **Subtitle B—Reports and Assess-**
 7 **ments Pertaining to Intelligence**
 8 **Community**

9 **SEC. 9321. ASSESSMENT BY THE COMPTROLLER GENERAL**
 10 **OF THE UNITED STATES ON EFFORTS OF THE**
 11 **INTELLIGENCE COMMUNITY AND THE DE-**
 12 **PARTMENT OF DEFENSE TO IDENTIFY AND**
 13 **MITIGATE RISKS POSED TO THE INTEL-**
 14 **LIGENCE COMMUNITY AND THE DEPART-**
 15 **MENT BY THE USE OF DIRECT-TO-CONSUMER**
 16 **GENETIC TESTING BY THE GOVERNMENT OF**
 17 **THE PEOPLE’S REPUBLIC OF CHINA.**

18 (a) ASSESSMENT REQUIRED.—The Comptroller Gen-
 19 eral of the United States shall assess the efforts of the
 20 intelligence community and the Department of Defense to
 21 identify and mitigate the risks posed to the intelligence
 22 community and the Department by the use of direct-to-
 23 consumer genetic testing by the Government of the Peo-
 24 ple’s Republic of China.

25 (b) REPORT REQUIRED.—

1 (1) DEFINITION OF UNITED STATES DIRECT-
2 TO-CONSUMER GENETIC TESTING COMPANY.—In this
3 subsection, the term “United States direct-to-con-
4 sumer genetic testing company” means a private en-
5 tity that—

6 (A) carries out direct-to-consumer genetic
7 testing; and

8 (B) is organized under the laws of the
9 United States or any jurisdiction within the
10 United States.

11 (2) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act, the
13 Comptroller General shall submit to Congress, in-
14 cluding the congressional intelligence committees,
15 the Committee on Armed Services of the Senate, and
16 the Committee on Armed Services of the House of
17 Representatives, a report on the assessment required
18 by subsection (a).

19 (3) ELEMENTS.—The report required by para-
20 graph (2) shall include the following:

21 (A) A description of key national security
22 risks and vulnerabilities associated with direct-
23 to-consumer genetic testing, including—

24 (i) how the Government of the Peo-
25 ple’s Republic of China may be using data

1 provided by personnel of the intelligence
2 community and the Department through
3 direct-to-consumer genetic tests; and

4 (ii) how ubiquitous technical surveil-
5 lance may amplify those risks.

6 (B) An assessment of the extent to which
7 the intelligence community and the Department
8 have identified risks and vulnerabilities posed
9 by direct-to-consumer genetic testing and have
10 sought to mitigate such risks and
11 vulnerabilities, or have plans for such mitiga-
12 tion, including the extent to which the intel-
13 ligence community has determined—

14 (i) in which United States direct-to-
15 consumer genetic testing companies the
16 Government of the People’s Republic of
17 China or entities owned or controlled by
18 the Government of the People’s Republic of
19 China have an ownership interest; and

20 (ii) which United States direct-to-con-
21 sumer genetic testing companies may have
22 sold data to the Government of the Peo-
23 ple’s Republic of China or entities owned
24 or controlled by the Government of the
25 People’s Republic of China.

1 (C) Such recommendations as the Comp-
2 troller General may have for action by the intel-
3 ligence community and the Department to im-
4 prove the identification and mitigation of risks
5 and vulnerabilities posed by the use of direct-to-
6 consumer genetic testing by the Government of
7 the People's Republic of China.

8 (4) FORM.—The report required by paragraph
9 (2) shall be submitted in unclassified form, but may
10 include a classified annex.

11 (c) COOPERATION.—The heads of relevant elements
12 of the intelligence community and components of the De-
13 partment shall—

14 (1) fully cooperate with the Comptroller Gen-
15 eral in conducting the assessment required by sub-
16 section (a); and

17 (2) provide any information and data required
18 by the Comptroller General to conduct the assess-
19 ment.

1 **SEC. 9322. REPORT ON USE BY INTELLIGENCE COMMUNITY**
2 **OF HIRING FLEXIBILITIES AND EXPEDITED**
3 **HUMAN RESOURCES PRACTICES TO ASSURE**
4 **QUALITY AND DIVERSITY IN THE WORK-**
5 **FORCE OF THE INTELLIGENCE COMMUNITY.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Director of National
8 Intelligence shall submit to the congressional intelligence
9 committees a report on how elements of the intelligence
10 community are exercising hiring flexibilities and expedited
11 human resources practices afforded under section 3326 of
12 title 5, United States Code, and subpart D of part 315
13 of title 5, Code of Federal Regulations, or successor regu-
14 lation, to assure quality and diversity in the workforce of
15 the intelligence community.

16 (b) OBSTACLES.—The report submitted under sub-
17 section (a) shall include identification of any obstacles en-
18 countered by the intelligence community in exercising the
19 authorities described in such subsection.

20 **SEC. 9323. REPORT ON SIGNALS INTELLIGENCE PRIOR-**
21 **ITIES AND REQUIREMENTS.**

22 (a) REPORT REQUIRED.—Not later than 30 days
23 after the date of the enactment of this Act, the Director
24 of National Intelligence shall submit to the congressional
25 intelligence committees a report on signals intelligence pri-

1 orities and requirements subject to Presidential Policy Di-
2 rective 28.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall cover the following:

5 (1) The implementation of the annual process
6 for advising the Director on signals intelligence pri-
7 orities and requirements described in section 3 of
8 Presidential Policy Directive 28.

9 (2) The signals intelligence priorities and re-
10 quirements as of the most recent annual process.

11 (3) The application of such priorities and re-
12 quirements to the signals intelligence collection ef-
13 forts of the intelligence community.

14 (4) The contents of the classified annex ref-
15 erenced in section 3 of Presidential Policy Directive
16 28.

17 (c) FORM.—The report submitted under subsection
18 (a) shall be submitted in unclassified form, but may in-
19 clude a classified annex.

20 **SEC. 9324. ASSESSMENT OF DEMAND FOR STUDENT LOAN**
21 **REPAYMENT PROGRAM BENEFIT.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, the head of each ele-
24 ment of the intelligence community shall—

1 (1) calculate the number of personnel of that
2 element who qualify for a student loan repayment
3 program benefit;

4 (2) compare the number calculated under para-
5 graph (1) to the number of personnel who apply for
6 such a benefit;

7 (3) provide recommendations for how to struc-
8 ture such a program to optimize participation and
9 enhance the effectiveness of the benefit as a reten-
10 tion tool, including with respect to the amount of the
11 benefit offered and the length of time an employee
12 receiving a benefit is required to serve under a con-
13 tinuing service agreement; and

14 (4) identify any shortfall in funds or authorities
15 needed to provide such a benefit.

16 (b) INCLUSION IN FISCAL YEAR 2022 BUDGET SUB-
17 MISSION.—The Director of National Intelligence shall in-
18 clude in the budget justification materials submitted to
19 Congress in support of the budget for the intelligence com-
20 munity for fiscal year 2022 (as submitted with the budget
21 of the President under section 1105(a) of title 31, United
22 States Code) a report on the findings of the elements of
23 the intelligence community under subsection (a).

1 **SEC. 9325. ASSESSMENT OF INTELLIGENCE COMMUNITY**
2 **DEMAND FOR CHILD CARE.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Director of National
5 Intelligence, in coordination with the heads of the elements
6 of the intelligence community specified in subsection (b),
7 shall submit to the congressional intelligence committees
8 a report that includes—

9 (1) a calculation of the total annual demand for
10 child care by employees of such elements, at or near
11 the workplaces of such employees, including a cal-
12 culation of the demand for early morning and
13 evening child care;

14 (2) an identification of any shortfall between
15 the demand calculated under paragraph (1) and the
16 child care supported by such elements as of the date
17 of the report;

18 (3) an assessment of options for addressing any
19 such shortfall, including options for providing child
20 care at or near the workplaces of employees of such
21 elements;

22 (4) an identification of the advantages, dis-
23 advantages, security requirements, and costs associ-
24 ated with each such option;

25 (5) a plan to meet, by the date that is 5 years
26 after the date of the report—

1 (A) the demand calculated under para-
2 graph (1); or

3 (B) an alternative standard established by
4 the Director for child care available to employ-
5 ees of such elements; and

6 (6) an assessment of needs of specific elements
7 of the intelligence community, including any Govern-
8 ment-provided child care that could be collocated
9 with a workplace of employees of such an element
10 and any available child care providers in the prox-
11 imity of such a workplace.

12 (b) ELEMENTS SPECIFIED.—The elements of the in-
13 telligence community specified in this subsection are the
14 following:

15 (1) The Central Intelligence Agency.

16 (2) The National Security Agency.

17 (3) The Defense Intelligence Agency.

18 (4) The National Geospatial-Intelligence Agen-
19 cy.

20 (5) The National Reconnaissance Office.

21 (6) The Office of the Director of National Intel-
22 ligence.

1 **SEC. 9326. OPEN SOURCE INTELLIGENCE STRATEGIES AND**
2 **PLANS FOR THE INTELLIGENCE COMMUNITY.**

3 (a) REQUIREMENT FOR SURVEY AND EVALUATION
4 OF CUSTOMER FEEDBACK.—Not later than 90 days after
5 the date of the enactment of this Act, the Director of Na-
6 tional Intelligence, in coordination with the head of each
7 element of the intelligence community, shall—

8 (1) conduct a survey of the open source intel-
9 ligence requirements, goals, monetary and property
10 investments, and capabilities for each element of the
11 intelligence community; and

12 (2) evaluate the usability and utility of the
13 Open Source Enterprise by soliciting customer feed-
14 back and evaluating such feedback.

15 (b) REQUIREMENT FOR OVERALL STRATEGY AND
16 FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING
17 USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK
18 ANALYSIS OF CREATING OPEN SOURCE CENTER.—Not
19 later than 180 days after the date of the enactment of
20 this Act, the Director, in coordination with the head of
21 each element of the intelligence community and using the
22 findings of the Director with respect to the survey con-
23 ducted under subsection (a), shall—

24 (1) develop a strategy for open source intel-
25 ligence collection, analysis, and production that de-
26 fines the overarching goals, roles, responsibilities,

1 and processes for such collection, analysis, and pro-
2 duction for the intelligence community;

3 (2) develop a plan for improving usability and
4 utility of the Open Source Enterprise based on the
5 customer feedback solicited under subsection (a)(2);
6 and

7 (3) conduct a risk and benefit analysis of cre-
8 ating an open source center independent of any cur-
9 rent intelligence community element.

10 (c) REQUIREMENT FOR PLAN FOR CENTRALIZED
11 DATA REPOSITORY.—Not later than 270 days after the
12 date of the enactment of this Act and using the findings
13 of the Director with respect to the survey and evaluation
14 conducted under subsection (a), the strategy and plan de-
15 veloped under subsection (b), and the risk and benefit
16 analysis conducted under such subsection, the Director
17 shall develop a plan for a centralized data repository of
18 open source intelligence that enables all elements of the
19 intelligence community—

20 (1) to use such repository for their specific re-
21 quirements; and

22 (2) to derive open source intelligence advan-
23 tages.

24 (d) REQUIREMENT FOR COST-SHARING MODEL.—
25 Not later than 1 year after the date of the enactment of

1 this Act and using the findings of the Director with re-
2 spect to the survey and evaluation conducted under sub-
3 section (a), the strategy and plan developed under sub-
4 section (b), the risk and benefit analysis conducted under
5 such subsection, and the plan developed under subsection
6 (c), the Director shall develop a cost-sharing model that
7 leverages the open source intelligence investments of each
8 element of the intelligence community for the beneficial
9 use of the entire intelligence community.

10 (e) CONGRESSIONAL BRIEFING.—Not later than 1
11 year after the date of the enactment of this Act, the Direc-
12 tor of National Intelligence, the Director of the Central
13 Intelligence Agency, the Director of the Defense Intel-
14 ligence Agency, the Director of the National Geospatial-
15 Intelligence Agency, and the Director of the National Se-
16 curity Agency shall jointly brief the congressional intel-
17 ligence committees on—

18 (1) the strategy developed under paragraph (1)
19 of subsection (b);

20 (2) the plan developed under paragraph (2) of
21 such subsection;

22 (3) the plan developed under subsection (c);
23 and

24 (4) the cost-sharing model developed under sub-
25 section (d).

1 **TITLE XCIV—SECURITY CLEAR-**
2 **ANCES AND TRUSTED WORK-**
3 **FORCE**

4 **SEC. 9401. EXCLUSIVITY, CONSISTENCY, AND TRANS-**
5 **PARENCY IN SECURITY CLEARANCE PROCE-**
6 **DURES, AND RIGHT TO APPEAL.**

7 (a) EXCLUSIVITY OF PROCEDURES.—Section 801 of
8 the National Security Act of 1947 (50 U.S.C. 3161) is
9 amended by adding at the end the following:

10 “(c) EXCLUSIVITY.—Except as provided in sub-
11 section (b) and subject to sections 801A and 801B, the
12 procedures established pursuant to subsection (a) and pro-
13 mulgated and set forth under subpart A of title 32, Code
14 of Federal Regulations, or successor regulations, shall be
15 the exclusive procedures by which decisions about eligi-
16 bility for access to classified information are governed.”.

17 (b) TRANSPARENCY.—Such section is further amend-
18 ed by adding at the end the following:

19 “(d) PUBLICATION.—

20 “(1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this subsection,
22 the President shall—

23 “(A) publish in the Federal Register the
24 procedures established pursuant to subsection
25 (a); or

1 “(B) submit to Congress a certification
2 that the procedures currently in effect that gov-
3 ern access to classified information as described
4 in subsection (a)—

5 “(i) are published in the Federal Reg-
6 ister; and

7 “(ii) comply with the requirements of
8 subsection (a).

9 “(2) UPDATES.—Whenever the President
10 makes a revision to a procedure established pursuant
11 to subsection (a), the President shall publish such
12 revision in the Federal Register not later than 30
13 days before the date on which the revision becomes
14 effective.”.

15 (c) CONSISTENCY.—

16 (1) IN GENERAL.—Title VIII of the National
17 Security Act of 1947 (50 U.S.C. 3161 et seq.) is
18 amended by inserting after section 801 the fol-
19 lowing:

20 **“SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSI-**
21 **FIED INFORMATION.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) AGENCY.—The term ‘agency’ has the
24 meaning given the term ‘Executive agency’ in section
25 105 of title 5, United States Code.

1 “(2) CLASSIFIED INFORMATION.—The term
2 ‘classified information’ includes sensitive compart-
3 mented information, restricted data, restricted han-
4 dling information, and other compartmented infor-
5 mation.

6 “(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED
7 INFORMATION.—The term ‘eligibility for access to
8 classified information’ has the meaning given such
9 term in the procedures established pursuant to sec-
10 tion 801(a).

11 “(b) IN GENERAL.—Each head of an agency that
12 makes a determination regarding eligibility for access to
13 classified information shall ensure that in making the de-
14 termination, the head of the agency or any person acting
15 on behalf of the head of the agency—

16 “(1) does not violate any right or protection en-
17 shrined in the Constitution of the United States, in-
18 cluding rights articulated in the First, Fifth, and
19 Fourteenth Amendments;

20 “(2) does not discriminate for or against an in-
21 dividual on the basis of race, ethnicity, color, reli-
22 gion, sex, national origin, age, or handicap;

23 “(3) is not carrying out—

24 “(A) retaliation for political activities or
25 beliefs; or

1 “(B) a coercion or reprisal described in
2 section 2302(b)(3) of title 5, United States
3 Code; and

4 “(4) does not violate section 3001(j)(1) of the
5 Intelligence Reform and Terrorism Prevention Act
6 of 2004 (50 U.S.C. 3341(j)(1)).”.

7 (2) CLERICAL AMENDMENT.—The table of con-
8 tents in the matter preceding section 2 of the Na-
9 tional Security Act of 1947 (50 U.S.C. 3002) is
10 amended by inserting after the item relating to sec-
11 tion 801 the following:

“Sec. 801A. Decisions relating to access to classified information.”.

12 (d) RIGHT TO APPEAL.—

13 (1) IN GENERAL.—Such title, as amended by
14 subsection (c), is further amended by inserting after
15 section 801A the following:

16 **“SEC. 801B. RIGHT TO APPEAL.**

17 “(a) DEFINITIONS.—In this section:

18 “(1) AGENCY.—The term ‘agency’ has the
19 meaning given the term ‘Executive agency’ in section
20 105 of title 5, United States Code.

21 “(2) COVERED PERSON.—The term ‘covered
22 person’ means a person, other than the President
23 and Vice President, currently or formerly employed
24 in, detailed to, assigned to, or issued an authorized
25 conditional offer of employment for a position that

1 requires access to classified information by an agen-
2 cy, including the following:

3 “(A) A member of the Armed Forces.

4 “(B) A civilian.

5 “(C) An expert or consultant with a con-
6 tractual or personnel obligation to an agency.

7 “(D) Any other category of person who
8 acts for or on behalf of an agency as deter-
9 mined by the head of the agency.

10 “(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED
11 INFORMATION.—The term ‘eligibility for access to
12 classified information’ has the meaning given such
13 term in the procedures established pursuant to sec-
14 tion 801(a).

15 “(4) NEED FOR ACCESS.—The term ‘need for
16 access’ has such meaning as the President may de-
17 fine in the procedures established pursuant to sec-
18 tion 801(a).

19 “(5) RECIPROCITY OF CLEARANCE.—The term
20 ‘reciprocity of clearance’, with respect to a denial by
21 an agency, means that the agency, with respect to
22 a covered person—

23 “(A) failed to accept a security clearance
24 background investigation as required by para-
25 graph (1) of section 3001(d) of the Intelligence

1 Reform and Terrorism Prevention Act of 2004
2 (50 U.S.C. 3341(d));

3 “(B) failed to accept a transferred security
4 clearance background investigation required by
5 paragraph (2) of such section;

6 “(C) subjected the covered person to an
7 additional investigative or adjudicative require-
8 ment in violation of paragraph (3) of such sec-
9 tion; or

10 “(D) conducted an investigation in viola-
11 tion of paragraph (4) of such section.

12 “(6) SECURITY EXECUTIVE AGENT.—The term
13 ‘Security Executive Agent’ means the officer serving
14 as the Security Executive Agent pursuant to section
15 803.

16 “(b) AGENCY REVIEW.—

17 “(1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of the Intelligence
19 Authorization Act for Fiscal Year 2021, each head
20 of an agency shall, consistent with the interest of
21 national security, establish and publish in the Fed-
22 eral Register a process by which a covered person to
23 whom eligibility for access to classified information
24 was denied or revoked by the agency or for whom
25 reciprocity of clearance was denied by the agency

1 can appeal that denial or revocation within the agen-
2 cy.

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

5 “(A) In the case of a covered person to
6 whom eligibility for access to classified informa-
7 tion or reciprocity of clearance is denied or re-
8 voked by an agency, the following:

9 “(i) The head of the agency shall pro-
10 vide the covered person with a written—

11 “(I) detailed explanation of the
12 basis for the denial or revocation as
13 the head of the agency determines is
14 consistent with the interests of na-
15 tional security and as permitted by
16 other applicable provisions of law; and

17 “(II) notice of the right of the
18 covered person to a hearing and ap-
19 peal under this subsection.

20 “(ii) Not later than 30 days after re-
21 ceiving a request from the covered person
22 for copies of the documents that formed
23 the basis of the agency’s decision to revoke
24 or deny, including the investigative file, the

1 head of the agency shall provide to the cov-
2 ered person copies of such documents as—

3 “(I) the head of the agency de-
4 termines is consistent with the inter-
5 ests of national security; and

6 “(II) permitted by other applica-
7 ble provisions of law, including—

8 “(aa) section 552 of title 5,
9 United States Code (commonly
10 known as the ‘Freedom of Infor-
11 mation Act’);

12 “(bb) section 552a of such
13 title (commonly known as the
14 ‘Privacy Act of 1974’); and

15 “(cc) such other provisions
16 of law relating to the protection
17 of confidential sources and pri-
18 vacy of individuals.

19 “(iii)(I) The covered person shall have
20 the opportunity to retain counsel or other
21 representation at the covered person’s ex-
22 pense.

23 “(II) Upon the request of the covered
24 person, and a showing that the ability to
25 review classified information is essential to

1 the resolution of an appeal under this sub-
2 section, counsel or other representation re-
3 tained under this clause shall be considered
4 for access to classified information for the
5 limited purposes of such appeal.

6 “(iv)(I) The head of the agency shall
7 provide the covered person an opportunity,
8 at a point in the process determined by the
9 agency head—

10 “(aa) to appear personally before
11 an adjudicative or other authority,
12 other than the investigating entity,
13 and to present to such authority rel-
14 evant documents, materials, and infor-
15 mation, including evidence that past
16 problems relating to the denial or rev-
17 ocation have been overcome or suffi-
18 ciently mitigated; and

19 “(bb) to call and cross-examine
20 witnesses before such authority, un-
21 less the head of the agency determines
22 that calling and cross-examining wit-
23 nesses is not consistent with the inter-
24 ests of national security.

1 “(II) The head of the agency shall
2 make, as part of the security record of the
3 covered person, a written summary, tran-
4 script, or recording of any appearance
5 under item (aa) of subclause (I) or of any
6 calling or cross-examining of witnesses
7 under item (bb) of such subclause.

8 “(v) On or before the date that is 30
9 days after the date on which the covered
10 person receives copies of documents under
11 clause (ii), the covered person may request
12 a hearing of the decision to deny or revoke
13 by filing a written appeal with the head of
14 the agency.

15 “(B) A requirement that each review of a
16 decision under this subsection is completed on
17 average not later than 180 days after the date
18 on which a hearing is requested under subpara-
19 graph (A)(v).

20 “(3) AGENCY REVIEW PANELS.—

21 “(A) IN GENERAL.—Each head of an
22 agency shall establish a panel to hear and re-
23 view appeals under this subsection.

24 “(B) MEMBERSHIP.—

1 “(i) COMPOSITION.—Each panel es-
2 tablished by the head of an agency under
3 subparagraph (A) shall be composed of at
4 least three employees of the agency se-
5 lected by the agency head, two of whom
6 shall not be members of the security field.

7 “(ii) TERMS.—A term of service on a
8 panel established by the head of an agency
9 under subparagraph (A) shall not exceed 2
10 years.

11 “(C) DECISIONS.—

12 “(i) WRITTEN.—Each decision of a
13 panel established under subparagraph (A)
14 shall be in writing and contain a justifica-
15 tion of the decision.

16 “(ii) CONSISTENCY.—Each head of an
17 agency that establishes a panel under sub-
18 paragraph (A) shall ensure that each deci-
19 sion of the panel is consistent with the in-
20 terests of national security and applicable
21 provisions of law.

22 “(iii) OVERTURN.—The head of an
23 agency may overturn a decision of the
24 panel if, not later than 30 days after the
25 date on which the panel issues the deci-

1 sion, the agency head personally exercises
2 the authority granted by this clause to
3 overturn such decision.

4 “(iv) FINALITY.—Each decision of a
5 panel established under subparagraph (A)
6 or overturned pursuant to clause (iii) of
7 this subparagraph shall be final.

8 “(D) ACCESS TO CLASSIFIED INFORMA-
9 TION.—The head of an agency that establishes
10 a panel under subparagraph (A) shall afford ac-
11 cess to classified information to the members of
12 the panel as the agency head determines—

13 “(i) necessary for the panel to hear
14 and review an appeal under this sub-
15 section; and

16 “(ii) consistent with the interests of
17 national security.

18 “(4) REPRESENTATION BY COUNSEL.—

19 “(A) IN GENERAL.—Each head of an
20 agency shall ensure that, under this subsection,
21 a covered person appealing a decision of the
22 head’s agency under this subsection has an op-
23 portunity to retain counsel or other representa-
24 tion at the covered person’s expense.

1 “(B) ACCESS TO CLASSIFIED INFORMA-
2 TION.—

3 “(i) IN GENERAL.—Upon the request
4 of a covered person appealing a decision of
5 an agency under this subsection and a
6 showing that the ability to review classified
7 information is essential to the resolution of
8 the appeal under this subsection, the head
9 of the agency shall sponsor an application
10 by the counsel or other representation re-
11 tained under this paragraph for access to
12 classified information for the limited pur-
13 poses of such appeal.

14 “(ii) EXTENT OF ACCESS.—Counsel
15 or another representative who is cleared
16 for access under this subparagraph may be
17 afforded access to relevant classified mate-
18 rials to the extent consistent with the in-
19 terests of national security.

20 “(5) PUBLICATION OF DECISIONS.—

21 “(A) IN GENERAL.—Each head of an
22 agency shall publish each final decision on an
23 appeal under this subsection.

24 “(B) REQUIREMENTS.—In order to ensure
25 transparency, oversight by Congress, and mean-

1 ingful information for those who need to under-
2 stand how the clearance process works, each
3 publication under subparagraph (A) shall be—

4 “(i) made in a manner that is con-
5 sistent with section 552 of title 5, United
6 States Code, as amended by the Electronic
7 Freedom of Information Act Amendments
8 of 1996 (Public Law 104–231);

9 “(ii) published to explain the facts of
10 the case, redacting personally identifiable
11 information and sensitive program infor-
12 mation; and

13 “(iii) made available on a website that
14 is searchable by members of the public.

15 “(c) PERIOD OF TIME FOR THE RIGHT TO AP-
16 PEAL.—

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2), any covered person who has been the sub-
19 ject of a decision made by the head of an agency to
20 deny or revoke eligibility for access to classified in-
21 formation shall retain all rights to appeal under this
22 section until the conclusion of the appeals process
23 under this section.

24 “(2) WAIVER OF RIGHTS.—

1 “(A) PERSONS.—Any covered person may
2 voluntarily waive the covered person’s right to
3 appeal under this section and such waiver shall
4 be conclusive.

5 “(B) AGENCIES.—The head of an agency
6 may not require a covered person to waive the
7 covered person’s right to appeal under this sec-
8 tion for any reason.

9 “(d) WAIVER OF AVAILABILITY OF PROCEDURES FOR
10 NATIONAL SECURITY INTEREST.—

11 “(1) IN GENERAL.—If the head of an agency
12 determines that a procedure established under sub-
13 section (b) cannot be made available to a covered
14 person in an exceptional case without damaging a
15 national security interest of the United States by re-
16 vealing classified information, such procedure shall
17 not be made available to such covered person.

18 “(2) FINALITY.—A determination under para-
19 graph (1) shall be final and conclusive and may not
20 be reviewed by any other official or by any court.

21 “(3) REPORTING.—

22 “(A) CASE-BY-CASE.—

23 “(i) IN GENERAL.—In each case in
24 which the head of an agency determines
25 under paragraph (1) that a procedure es-

1 tablished under subsection (b) cannot be
2 made available to a covered person, the
3 agency head shall, not later than 30 days
4 after the date on which the agency head
5 makes such determination, submit to the
6 Security Executive Agent and to the con-
7 gressional intelligence committees a report
8 stating the reasons for the determination.

9 “(ii) FORM.—A report submitted
10 under clause (i) may be submitted in clas-
11 sified form as necessary.

12 “(B) ANNUAL REPORTS.—

13 “(i) IN GENERAL.—Not less fre-
14 quently than once each fiscal year, the Se-
15 curity Executive Agent shall submit to the
16 congressional intelligence committees a re-
17 port on the determinations made under
18 paragraph (1) during the previous fiscal
19 year.

20 “(ii) CONTENTS.—Each report sub-
21 mitted under clause (i) shall include, for
22 the period covered by the report, the fol-
23 lowing:

24 “(I) The number of cases and
25 reasons for determinations made

1 under paragraph (1), disaggregated
2 by agency.

3 “(II) Such other matters as the
4 Security Executive Agent considers
5 appropriate.

6 “(e) DENIALS AND REVOCATIONS UNDER OTHER
7 PROVISIONS OF LAW.—

8 “(1) RULE OF CONSTRUCTION.—Nothing in
9 this section shall be construed to limit or affect the
10 responsibility and power of the head of an agency to
11 deny or revoke eligibility for access to classified in-
12 formation or to deny reciprocity of clearance in the
13 interest of national security.

14 “(2) DENIALS AND REVOCATION.—The power
15 and responsibility to deny or revoke eligibility for ac-
16 cess to classified information or to deny reciprocity
17 of clearance pursuant to any other provision of law
18 or Executive order may be exercised only when the
19 head of an agency determines that an applicable
20 process established under this section cannot be in-
21 voked in a manner that is consistent with national
22 security.

23 “(3) FINALITY.—A determination under para-
24 graph (2) shall be final and conclusive and may not
25 be reviewed by any other official or by any court.

1 “(4) REPORTING.—

2 “(A) CASE-BY-CASE.—

3 “(i) IN GENERAL.—In each case in
4 which the head of an agency determines
5 under paragraph (2) that a determination
6 relating to a denial or revocation of eligi-
7 bility for access to classified information or
8 denial of reciprocity of clearance could not
9 be made pursuant to a process established
10 under this section, the agency head shall,
11 not later than 30 days after the date on
12 which the agency head makes such a deter-
13 mination under paragraph (2), submit to
14 the Security Executive Agent and to the
15 congressional intelligence committees a re-
16 port stating the reasons for the determina-
17 tion.

18 “(ii) FORM.—A report submitted
19 under clause (i) may be submitted in clas-
20 sified form as necessary.

21 “(B) ANNUAL REPORTS.—

22 “(i) IN GENERAL.—Not less fre-
23 quently than once each fiscal year, the Se-
24 curity Executive Agent shall submit to the
25 congressional intelligence committees a re-

1 port on the determinations made under
2 paragraph (2) during the previous fiscal
3 year.

4 “(ii) CONTENTS.—Each report sub-
5 mitted under clause (i) shall include, for
6 the period covered by the report, the fol-
7 lowing:

8 “(I) The number of cases and
9 reasons for determinations made
10 under paragraph (2), disaggregated
11 by agency.

12 “(II) Such other matters as the
13 Security Executive Agent considers
14 appropriate.

15 “(f) RELATIONSHIP TO SUITABILITY.—No person
16 may use a determination of suitability under part 731 of
17 title 5, Code of Federal Regulations, or successor regula-
18 tion, for the purpose of denying a covered person the re-
19 view proceedings of this section where there has been a
20 denial or revocation of eligibility for access to classified
21 information or a denial of reciprocity of clearance.

22 “(g) PRESERVATION OF ROLES AND RESPONSIBIL-
23 ITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DE-
24 FENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in
25 this section shall be construed to diminish or otherwise

1 affect the procedures in effect on the day before the date
2 of the enactment of this Act for denial and revocation pro-
3 cedures provided to individuals by Executive Order 10865
4 (50 U.S.C. 3161 note; relating to safeguarding classified
5 information within industry), or successor order, including
6 those administered through the Defense Office of Hear-
7 ings and Appeals of the Department of Defense under De-
8 partment of Defense Directive 5220.6, or successor direc-
9 tive.

10 “(h) **RULE OF CONSTRUCTION RELATING TO CER-**
11 **TAIN OTHER PROVISIONS OF LAW.**—This section and the
12 processes and procedures established under this section
13 shall not be construed to apply to paragraphs (6) and (7)
14 of section 3001(j) of the Intelligence Reform and Ter-
15 rorism Prevention Act of 2004 (50 U.S.C. 3341(j)).”.

16 (2) **CLERICAL AMENDMENT.**—The table of con-
17 tents in the matter preceding section 2 of the Na-
18 tional Security Act of 1947 (50 U.S.C. 3002), as
19 amended by subsection (c), is further amended by
20 inserting after the item relating to section 801A the
21 following:

“Sec. 801B. Right to appeal.”.

1 **SEC. 9402. ESTABLISHING PROCESS PARITY FOR SECURITY**
2 **CLEARANCE REVOCATIONS.**

3 Subparagraph (C) of section 3001(j)(4) of the Intel-
4 ligence Reform and Terrorism Prevention Act of 2004 (50
5 U.S.C. 3341(j)(4)) is amended to read as follows:

6 “(C) BURDENS OF PROOF.—

7 “(i) IN GENERAL.—Subject to clause
8 (iii), in determining whether the adverse
9 security clearance or access determination
10 violated paragraph (1), the agency shall
11 find that paragraph (1) was violated if the
12 individual has demonstrated that a disclo-
13 sure described in paragraph (1) was a con-
14 tributing factor in the adverse security
15 clearance or access determination taken
16 against the individual.

17 “(ii) CIRCUMSTANTIAL EVIDENCE.—
18 An individual under clause (i) may dem-
19 onstrate that the disclosure was a contrib-
20 uting factor in the adverse security clear-
21 ance or access determination taken against
22 the individual through circumstantial evi-
23 dence, such as evidence that—

24 “(I) the official making the de-
25 termination knew of the disclosure;
26 and

1 “(II) the determination occurred
2 within a period such that a reasonable
3 person could conclude that the disclo-
4 sure was a contributing factor in the
5 determination.

6 “(iii) DEFENSE.—In determining
7 whether the adverse security clearance or
8 access determination violated paragraph
9 (1), the agency shall not find that para-
10 graph (1) was violated if, after a finding
11 that a disclosure was a contributing factor,
12 the agency demonstrates by clear and con-
13 vincing evidence that it would have made
14 the same security clearance or access de-
15 termination in the absence of such disclo-
16 sure.”.

17 **SEC. 9403. FEDERAL POLICY ON SHARING OF DEROGATORY**
18 **INFORMATION PERTAINING TO CONTRACTOR**
19 **EMPLOYEES IN THE TRUSTED WORKFORCE.**

20 (a) POLICY REQUIRED.—Not later than 180 days
21 after the date of the enactment of this Act, the Security
22 Executive Agent, in coordination with the principal mem-
23 bers of the Performance Accountability Council and the
24 Attorney General, shall issue a policy for the Federal Gov-
25 ernment on sharing of derogatory information pertaining

1 to contractor employees engaged by the Federal Govern-
2 ment.

3 (b) CONSENT REQUIREMENT.—

4 (1) IN GENERAL.—The policy issued under sub-
5 section (a) shall require, as a condition of accepting
6 a security clearance with the Federal Government,
7 that a contractor employee provide prior written con-
8 sent for the Federal Government to share covered
9 derogatory information with the chief security officer
10 of the contractor employer that employs the con-
11 tractor employee.

12 (2) COVERED DEROGATORY INFORMATION.—
13 For purposes of this section, covered derogatory in-
14 formation—

15 (A) is information that—

16 (i) contravenes National Security Ad-
17 judicative Guidelines as specified in Secu-
18 rity Executive Agent Directive 4 (10
19 C.F.R. 710 app. A), or any successor Fed-
20 eral policy;

21 (ii) a Federal Government agency cer-
22 tifies is accurate and reliable;

23 (iii) is relevant to a contractor's abil-
24 ity to protect against insider threats as re-
25 quired by section 1–202 of the National

1 Industrial Security Program Operating
2 Manual (NISPOM), or successor manual;
3 and

4 (iv) may have a bearing on the con-
5 tractor employee's suitability for a position
6 of public trust or to receive credentials to
7 access certain facilities of the Federal Gov-
8 ernment; and

9 (B) shall include any negative information
10 considered in the adjudicative process, including
11 information provided by the contractor em-
12 ployee on forms submitted for the processing of
13 the contractor employee's security clearance.

14 (c) ELEMENTS.—The policy issued under subsection
15 (a) shall—

16 (1) require Federal agencies, except under ex-
17 ceptional circumstances specified by the Security Ex-
18 ecutive Agent, to share with the contractor employer
19 of a contractor employee engaged with the Federal
20 Government the existence of potentially derogatory
21 information and which National Security Adjudica-
22 tive Guideline it falls under, with the exception that
23 the Security Executive Agent may waive such re-
24 quirement in circumstances the Security Executive
25 Agent considers extraordinary;

1 (2) require that covered derogatory information
2 shared with a contractor employer as described in
3 subsection (b)(1) be used by the contractor employer
4 exclusively for risk mitigation purposes under section
5 1–202 of the National Industrial Security Program
6 Operating Manual, or successor manual;

7 (3) require Federal agencies to share any miti-
8 gation measures in place to address the derogatory
9 information;

10 (4) establish standards for timeliness for shar-
11 ing the derogatory information;

12 (5) specify the methods by which covered derog-
13 atory information will be shared with the contractor
14 employer of the contractor employee;

15 (6) allow the contractor employee, within a
16 specified timeframe, the right—

17 (A) to contest the accuracy and reliability
18 of covered derogatory information;

19 (B) to address or remedy any concerns
20 raised by the covered derogatory information;
21 and

22 (C) to provide documentation pertinent to
23 subparagraph (A) or (B) for an agency to place
24 in relevant security clearance databases;

1 (7) establish a procedure by which the con-
2 tractor employer of the contractor employee may
3 consult with the Federal Government prior to taking
4 any remedial action under section 1–202 of the Na-
5 tional Industrial Security Program Operating Man-
6 ual, or successor manual, to address the derogatory
7 information the Federal agency has provided;

8 (8) stipulate that the chief security officer of
9 the contractor employer is prohibited from sharing
10 or discussing covered derogatory information with
11 other parties, including nonsecurity professionals at
12 the contractor employer; and

13 (9) require companies in the National Indus-
14 trial Security Program to comply with the policy.

15 (d) CONSIDERATION OF LESSONS LEARNED FROM
16 INFORMATION-SHARING PROGRAM FOR POSITIONS OF
17 TRUST AND SECURITY CLEARANCES.—In developing the
18 policy issued under subsection (a), the Director shall con-
19 sider, to the extent available, lessons learned from actions
20 taken to carry out section 6611(f) of the National Defense
21 Authorization Act for Fiscal Year 2020 (Public Law 116–
22 92).

1 **TITLE XCV—REPORTS AND**
2 **OTHER MATTERS**

3 **SEC. 9501. REPORT ON ATTEMPTS BY FOREIGN ADVER-**
4 **SARIES TO BUILD TELECOMMUNICATIONS**
5 **AND CYBERSECURITY EQUIPMENT AND**
6 **SERVICES FOR, OR TO PROVIDE SUCH EQUIP-**
7 **MENT AND SERVICES TO, CERTAIN ALLIES OF**
8 **THE UNITED STATES.**

9 (a) **DEFINITIONS.**—In this section:

10 (1) **APPROPRIATE COMMITTEES OF CON-**
11 **GRESS.**—The term “appropriate committees of Con-
12 **gress” means—**

13 (A) the Committee on Armed Services and
14 the Select Committee on Intelligence of the
15 Senate; and

16 (B) the Committee on Armed Services and
17 the Permanent Select Committee on Intelligence
18 of the House of Representatives.

19 (2) **FIVE EYES COUNTRY.**—The term “Five
20 **Eyes country” means any of the following:**

21 (A) Australia.

22 (B) Canada.

23 (C) New Zealand.

24 (D) The United Kingdom.

25 (E) The United States.

1 (b) REPORT REQUIRED.—Not later than 90 days
2 after the date of the enactment of this Act, the Director
3 of the Central Intelligence Agency, the Director of the Na-
4 tional Security Agency, and the Director of the Defense
5 Intelligence Agency shall jointly submit to the appropriate
6 committees of Congress a report on attempts by foreign
7 adversaries to build telecommunications and cybersecurity
8 equipment and services for, or to provide such equipment
9 and services to, Five Eyes countries.

10 (c) ELEMENTS.—The report submitted under sub-
11 section (b) shall include the following:

12 (1) An assessment of United States intelligence
13 sharing and intelligence and military force posture
14 in any Five Eyes country that currently uses or in-
15 tends to use telecommunications or cybersecurity
16 equipment or services provided by a foreign adver-
17 sary of the United States, including China and Rus-
18 sia.

19 (2) A description and assessment of mitigation
20 of any potential compromises or risks for any cir-
21 cumstance described in paragraph (1).

22 (d) FORM.—The report required by subsection (b)
23 shall include an unclassified executive summary, and may
24 include a classified annex.

1 **SEC. 9502. REPORT ON THREATS POSED BY USE BY FOR-**
2 **EIGN GOVERNMENTS AND ENTITIES OF COM-**
3 **MERCIALY AVAILABLE CYBER INTRUSION**
4 **AND SURVEILLANCE TECHNOLOGY.**

5 (a) **REPORT REQUIRED.**—Not later than 180 days
6 after the date of the enactment of this Act, the Director
7 of National Intelligence shall submit to the congressional
8 intelligence committees a report on the threats posed by
9 the use by foreign governments and entities of commer-
10 cially available cyber intrusion and other surveillance tech-
11 nology.

12 (b) **CONTENTS.**—The report required by subsection
13 (a) shall include the following:

14 (1) Matters relating to threats described in sub-
15 section (a) as they pertain to the following:

16 (A) The threat posed to United States per-
17 sons and persons inside the United States.

18 (B) The threat posed to United States per-
19 sonnel overseas.

20 (C) The threat posed to employees of the
21 Federal Government, including through both of-
22 ficial and personal accounts and devices.

23 (2) A description of which foreign governments
24 and entities pose the greatest threats from the use
25 of technology described in subsection (a) and the na-
26 ture of those threats.

1 (3) An assessment of the source of the commer-
2 cially available cyber intrusion and other surveillance
3 technology that poses the threats described in sub-
4 section (a), including whether such technology is
5 made by United States companies or companies in
6 the United States or by foreign companies.

7 (4) An assessment of actions taken, as of the
8 date of the enactment of this Act, by the Federal
9 Government and foreign governments to limit the
10 export of technology described in subsection (a) from
11 the United States or foreign countries to foreign
12 governments and entities in ways that pose the
13 threats described in such subsection.

14 (5) Matters relating to how the Federal Govern-
15 ment, Congress, and foreign governments can most
16 effectively mitigate the threats described in sub-
17 section (a), including matters relating to the fol-
18 lowing:

19 (A) Working with the technology and tele-
20 communications industry to identify and im-
21 prove the security of consumer software and
22 hardware used by United States persons and
23 persons inside the United States that is tar-
24 geted by commercial cyber intrusion and sur-
25 veillance software.

1 (B) Export controls.

2 (C) Diplomatic pressure.

3 (D) Trade agreements.

4 (c) FORM.—The report submitted under subsection
5 (a) shall be submitted in unclassified form, but may in-
6 clude a classified annex.

7 **SEC. 9503. REPORTS ON RECOMMENDATIONS OF THE**
8 **CYBERSPACE SOLARIUM COMMISSION.**

9 (a) APPROPRIATE COMMITTEES OF CONGRESS.—In
10 this section, the term “appropriate committees of Con-
11 gress” means—

12 (1) the Committee on Armed Services, the Se-
13 lect Committee on Intelligence, the Committee on
14 Homeland Security and Governmental Affairs, the
15 Committee on Commerce, Science, and Transpor-
16 tation, and the Committee on Energy and Natural
17 Resources of the Senate; and

18 (2) the Committee on Armed Services, the Per-
19 manent Select Committee on Intelligence, the Com-
20 mittee on Homeland Security, the Committee on
21 Science, Space, and Technology, and the Committee
22 on Energy and Commerce of the House of Rep-
23 resentatives.

24 (b) REPORTS REQUIRED.—Not later than 180 days
25 after the date of the enactment of this Act, each head of

1 an agency described in subsection (c) shall submit to the
2 appropriate committees of Congress a report on the rec-
3 ommendations included in the report issued by the Cyber-
4 space Solarium Commission under section 1652(k) of the
5 John S. McCain National Defense Authorization Act for
6 Fiscal Year 2019 (Public Law 115–232).

7 (c) AGENCIES DESCRIBED.—The agencies described
8 in this subsection are the following:

9 (1) The Office of the Director of National Intel-
10 ligence.

11 (2) The Department of Homeland Security.

12 (3) The Department of Energy.

13 (4) The Department of Commerce.

14 (5) The Department of Defense.

15 (d) CONTENTS.—Each report submitted under sub-
16 section (b) by the head of an agency described in sub-
17 section (c) shall include the following:

18 (1) An evaluation of the recommendations in
19 the report described in subsection (b) that the agen-
20 cy identifies as pertaining directly to the agency.

21 (2) A description of the actions taken, or the
22 actions that the head of the agency may consider
23 taking, to implement any of the recommendations
24 (including a comprehensive estimate of requirements
25 for appropriations to take such actions).

1 **SEC. 9504. ASSESSMENT OF CRITICAL TECHNOLOGY**
2 **TRENDS RELATING TO ARTIFICIAL INTEL-**
3 **LIGENCE, MICROCHIPS, AND SEMICONDUCT-**
4 **TORS AND RELATED SUPPLY CHAINS.**

5 (a) **ASSESSMENT REQUIRED.**—Not later than 180
6 days after the date of the enactment of this Act, the Direc-
7 tor of National Intelligence shall complete a detailed as-
8 sessment of critical technology trends relating to artificial
9 intelligence, microchips, and semiconductors and related
10 supply chains.

11 (b) **ELEMENTS.**—The assessment required by sub-
12 section (a) shall include the following:

13 (1) **EXPORT CONTROLS.**—

14 (A) **IN GENERAL.**—An assessment of ef-
15 forts by partner countries to enact and imple-
16 ment export controls and other technology
17 transfer measures with respect to artificial in-
18 telligence, microchips, advanced manufacturing
19 equipment, and other artificial intelligence en-
20 abled technologies critical to United States sup-
21 ply chains.

22 (B) **IDENTIFICATION OF OPPORTUNITIES**
23 **FOR COOPERATION.**—The assessment under
24 subparagraph (A) shall identify opportunities
25 for further cooperation with international part-
26 ners on a multilateral and bilateral basis to

1 strengthen export control regimes and address
2 technology transfer threats.

3 (2) SEMICONDUCTOR SUPPLY CHAINS.—

4 (A) IN GENERAL.—An assessment of glob-
5 al semiconductor supply chains, including areas
6 to reduce United States vulnerabilities and
7 maximize points of leverage.

8 (B) ANALYSIS OF POTENTIAL EFFECTS.—

9 The assessment under subparagraph (A) shall
10 include an analysis of the potential effects of
11 significant geopolitical shifts, including those
12 related to Taiwan.

13 (C) IDENTIFICATION OF OPPORTUNITIES

14 FOR DIVERSIFICATION.—The assessment under
15 subparagraph (A) shall also identify opportuni-
16 ties for diversification of United States supply
17 chains, including an assessment of cost, chal-
18 lenges, and opportunities to diversify manufac-
19 turing capabilities on a multinational basis.

20 (3) COMPUTING POWER.—An assessment of

21 trends relating to computing power and the effect of
22 such trends on global artificial intelligence develop-
23 ment and implementation, in consultation with the
24 Director of the Intelligence Advanced Research
25 Projects Activity, the Director of the Defense Ad-

1 vanced Research Projects Agency, and the Director
2 of the National Institute of Standards and Tech-
3 nology, including forward-looking assessments of
4 how computing resources may affect United States
5 national security, innovation, and implementation re-
6 lating to artificial intelligence.

7 (c) REPORT.—

8 (1) DEFINITION OF APPROPRIATE COMMITTEES
9 OF CONGRESS.—In this subsection, the term “appro-
10 priate committees of Congress” means—

11 (A) the Select Committee on Intelligence,
12 the Committee on Armed Services, the Com-
13 mittee on Banking, Housing, and Urban Af-
14 fairs, and the Committee on Foreign Relations
15 of the Senate; and

16 (B) the Permanent Select Committee on
17 Intelligence, the Committee on Armed Services,
18 the Committee on Financial Services, and the
19 Committee on Foreign Affairs of the House of
20 Representatives.

21 (2) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this Act, the Di-
23 rector shall submit to the appropriate committees of
24 Congress a report on the findings of the Director

1 with respect to the assessment completed under sub-
2 section (a).

3 (3) FORM.—The report submitted under para-
4 graph (2) shall be submitted in unclassified form,
5 but may include a classified annex.

6 **SEC. 9505. COMBATING CHINESE INFLUENCE OPERATIONS**
7 **IN THE UNITED STATES AND STRENGTH-**
8 **ENING CIVIL LIBERTIES PROTECTIONS.**

9 (a) UPDATES TO ANNUAL REPORTS ON INFLUENCE
10 OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY
11 THE CHINESE COMMUNIST PARTY.—Section 1107(b) of
12 the National Security Act of 1947 (50 U.S.C. 3237(b))
13 is amended—

14 (1) by redesignating paragraph (8) as para-
15 graph (9); and

16 (2) by inserting after paragraph (7) the fol-
17 lowing:

18 “(8) An identification of influence activities and
19 operations employed by the Chinese Communist
20 Party against the United States science and tech-
21 nology sectors, specifically employees of the United
22 States Government, researchers, scientists, and stu-
23 dents in the science and technology sector in the
24 United States.”.

1 (b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION
2 TO INCREASE PUBLIC AWARENESS AND DETECTION OF
3 INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE
4 PEOPLE'S REPUBLIC OF CHINA.—

5 (1) PLAN REQUIRED.—Not later than 90 days
6 after the date of the enactment of this Act, the Di-
7 rector of the Federal Bureau of Investigation shall
8 submit to the congressional intelligence committees a
9 plan—

10 (A) to increase public awareness of influ-
11 ence activities by the Government of the Peo-
12 ple's Republic of China; and

13 (B) to publicize mechanisms that members
14 of the public can use—

15 (i) to detect such activities; and

16 (ii) to report such activities to the Bu-
17 reau.

18 (2) CONSULTATION.—In carrying out para-
19 graph (1), the Director shall consult with the fol-
20 lowing:

21 (A) The Director of the Office of Science
22 and Technology Policy.

23 (B) Such other stakeholders outside the in-
24 telligence community, including professional as-
25 sociations, institutions of higher education,

1 businesses, and civil rights and multicultural
2 organizations, as the Director determines rel-
3 evant.

4 (c) RECOMMENDATIONS OF THE FEDERAL BUREAU
5 OF INVESTIGATION TO STRENGTHEN RELATIONSHIPS
6 AND BUILD TRUST WITH COMMUNITIES OF INTEREST.—

7 (1) IN GENERAL.—The Director of the Federal
8 Bureau of Investigation, in consultation with the As-
9 sistant Attorney General for the Civil Rights Divi-
10 sion and the Chief Privacy and Civil Liberties Offi-
11 cer of the Department of Justice, shall develop rec-
12 ommendations to strengthen relationships with com-
13 munities targeted by influence activities of the Gov-
14 ernment of the People’s Republic of China and build
15 trust with such communities through local and re-
16 gional grassroots outreach.

17 (2) SUBMITTAL TO CONGRESS.—Not later than
18 1 year after the date of the enactment of this Act,
19 the Director shall submit to Congress the rec-
20 ommendations developed under paragraph (1).

21 (d) TECHNICAL CORRECTIONS.—The National Secu-
22 rity Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

23 (1) in section 1107 (50 U.S.C. 3237)—

1 (A) in the section heading, by striking
 2 “**COMMUNIST PARTY OF CHINA**” and insert-
 3 ing “**CHINESE COMMUNIST PARTY**”; and

4 (B) by striking “Communist Party of
 5 China” both places it appears and inserting
 6 “Chinese Communist Party”; and

7 (2) in the table of contents before section 2 (50
 8 U.S.C. 3002), by striking the item relating to sec-
 9 tion 1107 and inserting the following new item:

“Sec. 1107. Annual reports on influence operations and campaigns in the
 United States by the Chinese Communist Party.”.

10 **SEC. 9506. ANNUAL REPORT ON CORRUPT ACTIVITIES OF**
 11 **SENIOR OFFICIALS OF THE CHINESE COM-**
 12 **MUNIST PARTY.**

13 (a) DEFINITION OF APPROPRIATE COMMITTEES OF
 14 CONGRESS.—In this section, the term “appropriate com-
 15 mittees of Congress” means—

16 (1) the Committee on Banking, Housing, and
 17 Urban Affairs, the Committee on Finance, the Com-
 18 mittee on Foreign Relations, and the Select Com-
 19 mittee on Intelligence of the Senate; and

20 (2) the Committee on Financial Services, the
 21 Committee on Foreign Affairs, the Committee on
 22 Ways and Means, and the Permanent Select Com-
 23 mittee on Intelligence of the House of Representa-
 24 tives.

1 (b) ANNUAL REPORT REQUIRED.—

2 (1) IN GENERAL.—Not later than 90 days after
3 the date of the enactment of this Act, and annually
4 thereafter through 2025, the Director of the Central
5 Intelligence Agency shall submit to the appropriate
6 committees of Congress a report on the corruption
7 and corrupt activities of senior officials of the Chi-
8 nese Communist Party.

9 (2) ELEMENTS.—

10 (A) IN GENERAL.—Each report under
11 paragraph (1) shall include the following:

12 (i) A description of the wealth of, and
13 corruption and corrupt activities among,
14 senior officials of the Chinese Communist
15 Party.

16 (ii) A description of any recent actions
17 of the officials described in clause (i) that
18 could be considered a violation, or potential
19 violation, of United States law.

20 (iii) A description and assessment of
21 targeted financial measures, including po-
22 tential targets for designation of the offi-
23 cials described in clause (i) for the corrup-
24 tion and corrupt activities described in that

1 clause and for the actions described in
2 clause (ii).

3 (B) SCOPE OF REPORTS.—The first report
4 under paragraph (1) shall include comprehen-
5 sive information on the matters described in
6 subparagraph (A). Any succeeding report under
7 paragraph (1) may consist of an update or sup-
8 plement to the preceding report under that sub-
9 section.

10 (3) COORDINATION.—In preparing each report,
11 update, or supplement under this subsection, the Di-
12 rector of the Central Intelligence Agency shall co-
13 ordinate as follows:

14 (A) In preparing the description required
15 by clause (i) of paragraph (2)(A), the Director
16 of the Central Intelligence Agency shall coordi-
17 nate with the head of the Office of Intelligence
18 and Analysis of the Department of the Treas-
19 ury and the Director of the Federal Bureau of
20 Investigation.

21 (B) In preparing the descriptions required
22 by clauses (ii) and (iii) of such paragraph, the
23 Director of the Central Intelligence Agency
24 shall coordinate with the head of the Office of

1 Intelligence and Analysis of the Department of
2 the Treasury.

3 (4) FORM.—Each report under paragraph (1)
4 shall include an unclassified executive summary, and
5 may include a classified annex.

6 (c) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that the United States should undertake every effort
8 and pursue every opportunity to expose the corruption and
9 illicit practices of senior officials of the Chinese Com-
10 munist Party, including President Xi Jinping.

11 **SEC. 9507. REPORT ON CORRUPT ACTIVITIES OF RUSSIAN**
12 **AND OTHER EASTERN EUROPEAN**
13 **OLIGARCHS.**

14 (a) DEFINITION OF APPROPRIATE COMMITTEES OF
15 CONGRESS.—In this section, the term “appropriate com-
16 mittees of Congress” means—

17 (1) the Committee on Banking, Housing, and
18 Urban Affairs, the Committee on Finance, the Com-
19 mittee on Foreign Relations, and the Select Com-
20 mittee on Intelligence of the Senate; and

21 (2) the Committee on Financial Services, the
22 Committee on Foreign Affairs, the Committee on
23 Ways and Means, and the Permanent Select Com-
24 mittee on Intelligence of the House of Representa-
25 tives.

1 (b) REPORT REQUIRED.—Not later than 100 days
2 after the date of the enactment of this Act, the Director
3 of the Central Intelligence Agency shall submit to the ap-
4 propriate committees of Congress and the Undersecretary
5 of State for Public Diplomacy and Public Affairs a report
6 on the corruption and corrupt activities of Russian and
7 other Eastern European oligarchs.

8 (c) ELEMENTS.—

9 (1) IN GENERAL.—Each report under sub-
10 section (b) shall include the following:

11 (A) A description of corruption and cor-
12 rupt activities among Russian and other East-
13 ern European oligarchs who support the Gov-
14 ernment of the Russian Federation, including
15 estimates of the total assets of such oligarchs.

16 (B) An assessment of the impact of the
17 corruption and corrupt activities described pur-
18 suant to subparagraph (A) on the economy and
19 citizens of Russia.

20 (C) A description of any connections to, or
21 support of, organized crime, drug smuggling, or
22 human trafficking by an oligarch covered by
23 subparagraph (A).

24 (D) A description of any information that
25 reveals corruption and corrupt activities in Rus-

1 sia among oligarchs covered by subparagraph
2 (A).

3 (E) A description and assessment of poten-
4 tial sanctions actions that could be imposed
5 upon oligarchs covered by subparagraph (A)
6 who support the leadership of the Government
7 of Russia, including President Vladimir Putin.

8 (2) SCOPE OF REPORTS.—The first report
9 under subsection (a) shall include comprehensive in-
10 formation on the matters described in paragraph
11 (1). Any succeeding report under subsection (a) may
12 consist of an update or supplement to the preceding
13 report under that subsection.

14 (d) COORDINATION.—In preparing each report, up-
15 date, or supplement under this section, the Director of the
16 Central Intelligence Agency shall coordinate as follows:

17 (1) In preparing the assessment and descrip-
18 tions required by subparagraphs (A) through (D) of
19 subsection (c)(1), the Director of the Central Intel-
20 ligence Agency shall coordinate with the head of the
21 Office of Intelligence and Analysis of the Depart-
22 ment of the Treasury and the Director of the Fed-
23 eral Bureau of Investigation.

24 (2) In preparing the description and assessment
25 required by subparagraph (E) of such subsection,

1 the Director of the Central Intelligence Agency shall
 2 coordinate with the head of the Office of Intelligence
 3 and Analysis of the Department of the Treasury.

4 (e) FORM.—

5 (1) IN GENERAL.—Subject to paragraph (2),
 6 each report under subsection (b) shall include an un-
 7 classified executive summary, and may include a
 8 classified annex.

9 (2) UNCLASSIFIED FORM OF CERTAIN INFOR-
 10 MATION.—The information described in subsection
 11 (c)(1)(D) in each report under subsection (b) shall
 12 be submitted in unclassified form.

13 **SEC. 9508. REPORT ON BIOSECURITY RISK AND**
 14 **DISINFORMATION BY THE CHINESE COM-**
 15 **MUNIST PARTY AND THE GOVERNMENT OF**
 16 **THE PEOPLE'S REPUBLIC OF CHINA.**

17 (a) DEFINITIONS.—In this section:

18 (1) APPROPRIATE COMMITTEES OF CON-
 19 GRESS.—The term “appropriate committees of Con-
 20 gress” means—

21 (A) the Select Committee on Intelligence,
 22 the Committee on Armed Services, the Com-
 23 mittee on Foreign Relations, the Committee on
 24 Health, Education, Labor, and Pensions, and

1 the Committee on Homeland Security and Gov-
2 ernmental Affairs of the Senate; and

3 (B) the Permanent Select Committee on
4 Intelligence, the Committee on Armed Services,
5 the Committee on Energy and Commerce, the
6 Committee on Foreign Affairs, and the Com-
7 mittee on Homeland Security of the House of
8 Representatives.

9 (2) CRITICAL INFRASTRUCTURE.—The term
10 “critical infrastructure” has the meaning given such
11 term in section 1016(e) of the Uniting and
12 Strengthening America by Providing Appropriate
13 Tools Required to Intercept and Obstruct Terrorism
14 (USA PATRIOT ACT) Act of 2001 (42 U.S.C.
15 5195c(e)).

16 (b) REPORT REQUIRED.—Not later than 90 days
17 after the date of the enactment of this Act, the Director
18 of National Intelligence shall submit to the appropriate
19 committees of Congress a report identifying whether and
20 how officials of the Chinese Communist Party and the
21 Government of the People’s Republic of China may have
22 sought—

23 (1) to suppress information about—

24 (A) the outbreak of the novel coronavirus
25 in Wuhan;

1 (B) the spread of the virus through China;

2 and

3 (C) the transmission of the virus to other

4 countries;

5 (2) to spread disinformation relating to the

6 pandemic; or

7 (3) to exploit the pandemic to advance their na-

8 tional security interests.

9 (c) ASSESSMENTS.—The report required by sub-

10 section (b) shall include assessments of reported actions

11 and the effect of those actions on efforts to contain the

12 novel coronavirus pandemic, including each of the fol-

13 lowing:

14 (1) The origins of the novel coronavirus out-

15 break, the time and location of initial infections, and

16 the mode and speed of early viral spread.

17 (2) Actions taken by the Government of China

18 to suppress, conceal, or misinform the people of

19 China and those of other countries about the novel

20 coronavirus outbreak in Wuhan.

21 (3) The effect of disinformation or the failure

22 of the Government of China to fully disclose details

23 of the outbreak on response efforts of local govern-

24 ments in China and other countries.

1 (4) Diplomatic, political, economic, intelligence,
2 or other pressure on other countries and inter-
3 national organizations to conceal information about
4 the spread of the novel coronavirus and the response
5 of the Government of China to the contagion, as well
6 as to influence or coerce early responses to the pan-
7 demic by other countries.

8 (5) Efforts by officials of the Government of
9 China to deny access to health experts and inter-
10 national health organizations to afflicted individuals
11 in Wuhan, pertinent areas of the city, or laboratories
12 of interest in China, including the Wuhan Institute
13 of Virology.

14 (6) Efforts by the Government of China, or
15 those acting at its direction or with its assistance, to
16 conduct cyber operations against international, na-
17 tional, or private health organizations conducting re-
18 search relating to the novel coronavirus or operating
19 in response to the pandemic.

20 (7) Efforts to control, restrict, or manipulate
21 relevant segments of global supply chains, particu-
22 larly in the sale, trade, or provision of relevant medi-
23 cines, medical supplies, or medical equipment as a
24 result of the pandemic.

1 (1) the Select Committee on Intelligence, the
2 Committee on Armed Services, and the Committee
3 on Foreign Relations of the Senate; and

4 (2) the Permanent Select Committee on Intel-
5 ligence, the Committee on Armed Services, and the
6 Committee on Foreign Affairs of the House of Rep-
7 resentatives.

8 (b) REPORT REQUIRED.—Not later than 90 days
9 after the date of the enactment of this Act, the Director
10 of the Defense Intelligence Agency, in consultation with
11 such heads of other elements of the intelligence community
12 as the Director considers appropriate, shall submit to the
13 appropriate committees of Congress a report on—

14 (1) the plans of the Government of the Islamic
15 Republic of Iran to acquire military arms if the ban
16 on arms transfers to or from such government under
17 United Nations Security Council resolutions are lift-
18 ed; and

19 (2) the effect such arms acquisitions may have
20 on regional security and stability.

21 (c) CONTENTS.—The report submitted under sub-
22 section (b) shall include assessments relating to plans of
23 the Government of the Islamic Republic of Iran to acquire
24 additional weapons, the intention of other countries to
25 provide such weapons, and the effect such acquisition and

1 provision would have on regional stability, including with
2 respect to each of the following:

3 (1) The type and quantity of weapon systems
4 under consideration for acquisition.

5 (2) The countries of origin of such systems.

6 (3) Likely reactions of other countries in the re-
7 gion to such acquisition, including the potential for
8 proliferation by other countries in response.

9 (4) The threat that such acquisition could
10 present to international commerce and energy sup-
11 plies in the region, and the potential implications for
12 the national security of the United States.

13 (5) The threat that such acquisition could
14 present to the Armed Forces of the United States,
15 of countries allied with the United States, and of
16 countries partnered with the United States stationed
17 in or deployed in the region.

18 (6) The potential that such acquisition could be
19 used to deliver chemical, biological, or nuclear weap-
20 ons.

21 (7) The potential for the Government of the Is-
22 lamic Republic of Iran to proliferate weapons ac-
23 quired in the absence of an arms embargo to re-
24 gional groups, including Shi'a militia groups backed
25 by such government.

1 (d) FORM.—The report submitted under subsection
2 (b) shall be submitted in unclassified form, but may in-
3 clude a classified annex.

4 **SEC. 9510. REPORT ON IRANIAN ACTIVITIES RELATING TO**
5 **NUCLEAR NONPROLIFERATION.**

6 (a) DEFINITION OF APPROPRIATE COMMITTEES OF
7 CONGRESS.—In this section, the term “appropriate com-
8 mittees of Congress” means—

9 (1) the Select Committee on Intelligence, the
10 Committee on Armed Services, and the Committee
11 on Foreign Relations of the Senate; and

12 (2) the Permanent Select Committee on Intel-
13 ligence, the Committee on Armed Services, and the
14 Committee on Foreign Affairs of the House of Rep-
15 resentatives.

16 (b) REPORT REQUIRED.—Not later than 90 days
17 after the date of the enactment of this Act, the Director
18 of National Intelligence shall submit to the appropriate
19 committees of Congress a report assessing—

20 (1) any relevant activities potentially relating to
21 nuclear weapons research and development by the
22 Islamic Republic of Iran; and

23 (2) any relevant efforts to afford or deny inter-
24 national access in accordance with international non-
25 proliferation agreements.

1 (c) ASSESSMENTS.—The report required by sub-
2 section (b) shall include assessments, for the period begin-
3 ning on January 1, 2018, and ending on the date of the
4 submittal of the report, of the following:

5 (1) Activities to research, develop, or enrich
6 uranium or reprocess plutonium with the intent or
7 capability of creating weapons-grade nuclear mate-
8 rial.

9 (2) Research, development, testing, or design
10 activities that could contribute to or inform con-
11 struction of a device intended to initiate or capable
12 of initiating a nuclear explosion.

13 (3) Efforts to receive, transmit, store, destroy,
14 relocate, archive, or otherwise preserve research,
15 processes, products, or enabling materials relevant
16 or relating to any efforts assessed under paragraph
17 (1) or (2).

18 (4) Efforts to afford or deny international ac-
19 cess, in accordance with international nonprolifera-
20 tion agreements, to locations, individuals, and mate-
21 rials relating to activities described in paragraph (1),
22 (2), or (3).

23 (d) FORM.—The report required under subsection (b)
24 shall be submitted in unclassified form, but may include
25 a classified annex.

1 **SEC. 9511. SENSE OF CONGRESS ON THIRD OPTION FOUN-**
2 **DATION.**

3 It is the sense of the Congress that—

4 (1) the work of the Third Option Foundation to
5 heal, help, and honor members of the special oper-
6 ations community of the Central Intelligence Agency
7 and their families is invaluable; and

8 (2) the Director of the Central Intelligence
9 Agency should work closely with the Third Option
10 Foundation in implementing section 19A of the Cen-
11 tral Intelligence Agency Act of 1949 (50 U.S.C.
12 3519b), as added by section 6412 of the Damon
13 Paul Nelson and Matthew Young Pollard Intel-
14 ligence Authorization Act for Fiscal Years 2018,
15 2019, and 2020 (Public Law 116–92).

Passed the Senate July 23, 2020.

Attest:

Secretary.

116TH CONGRESS
2^D SESSION
S. 4049

AN ACT

To authorize appropriations for fiscal year 2021 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.