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

IN THE SENATE OF THE UNITED STATES

Mr. Reed, from the Committee on Armed Services, reported the following original bill; which was read twice and placed on the calendar

A BILL

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

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

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Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Report on Army requirements and acquisition strategy for night vision devices.
Sec. 112. Army plan for ensuring sources of cannon tubes.
Sec. 113. Strategy for Army tactical wheeled vehicle program.
Sec. 114. Extension and modification of annual updates to master plans and investment strategies for Army ammunition plants.
Sec. 115. Report on acquisition strategies of the logistics augmentation program of the Army.

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Sec. 121. Reduction in the minimum number of Navy carrier air wings and carrier air wing headquarters required to be maintained.
Sec. 122. Extension of prohibition on availability of funds for Navy port waterborne security barriers.
Sec. 123. Multiyear procurement authority for Virginia class submarine program.

Subtitle D—Air Force Programs

Sec. 131. Limitations and minimum inventory requirement relating to RQ–4 aircraft.
Sec. 132. Limitation on divestiture of T–1A training aircraft.
Sec. 133. Modification to minimum inventory requirement for A–10 aircraft.
Sec. 134. Modification to minimum requirement for total primary mission aircraft inventory of Air Force fighter aircraft.
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Sec. 142. Requirement to develop and implement policies to establish the datalink strategy of the Department of Defense.

Sec. 143. Report on contract for cybersecurity capabilities and briefing.

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Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Updated guidance on planning for exportability features for future programs.

Sec. 212. Support to the Defence Innovation Accelerator for the North Atlantic.

Sec. 213. Modification to personnel management authority to attract experts in science and engineering.

Sec. 214. Administration of the Advanced Sensors Application Program.

Sec. 215. Delegation of responsibility for certain research programs.

Sec. 216. Program of standards and requirements for microelectronics.

Sec. 217. Clarifying role of partnership intermediaries to promote defense research and education.

Sec. 218. Competition for technology that detects and watermarks the use of generative artificial intelligence.

Subtitle C—Plans, Reports, and Other Matters

Sec. 221. Department of Defense prize competitions for business systems modernization.

Sec. 222. Update to plans and strategies for artificial intelligence.

Sec. 223. Western regional range complex demonstration.

Sec. 224. Report on feasibility and advisability of establishing a quantum computing innovation center.

Sec. 225. Briefing on the impediments to the transition of the Semantic Forensics program to operational use.

Sec. 226. Annual report on Department of Defense hypersonic capability funding and investment.

Sec. 227. Limitation on availability of funds for travel for office of Under Secretary of Defense for Personnel and Readiness pending a plan for modernizing Defense Travel System.

Sec. 228. Annual report on unfunded priorities for research, development, test, and evaluation activities.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Requirement for approval by Under Secretary of Defense for Acquisition and Sustainment of any waiver for a system that does not meet fuel efficiency key performance parameter.
Sec. 312. Improvement and codification of Sentinel Landscapes Partnership program authority.

Sec. 313. Modification of definition of sustainable aviation fuel for purpose of pilot program on use of such fuel.

Sec. 314. Payment to Environmental Protection Agency of stipulated penalties in connection with Naval Air Station Moffett Field, California.

Sec. 315. Technical assistance for communities and individuals potentially affected by releases at current and former Department of Defense facilities.

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

Sec. 321. Treatment of certain materials contaminated with perfluoroalkyl substances or polyfluoroalkyl substances.

Sec. 322. Increase of transfer authority for funding of study and assessment on health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.

Sec. 323. Modification of authority for environmental restoration projects at National Guard facilities.

Sec. 324. Limitation on availability of travel funds until submittal of plan for restoring data sharing on testing of water for perfluoroalkyl or polyfluoroalkyl substances.

Sec. 325. Dashboard of funding relating to perfluoroalkyl substances and polyfluoroalkyl substances.

Sec. 326. Report on schedule and cost estimates for completion of testing and remediation of contaminated sites and publication of cleanup information.

Sec. 327. Modification of timing of report on activities of PFAS Task Force.

Sec. 328. Government Accountability Office report on testing and remediation of perfluoroalkyl substances and polyfluoroalkyl substances.

Subtitle D—Logistics and Sustainment

Sec. 331. Assuring Critical Infrastructure Support for Military Contingencies Pilot Program.

Sec. 332. Strategy and assessment on use of automation and artificial intelligence for shipyard optimization.

Subtitle E—Briefings and Reports

Sec. 341. Critical infrastructure conditions at military installations.

Sec. 342. Report on establishing sufficient stabling, pasture, and training area for the Old Guard Caisson Platoon equines.

Sec. 343. Quarterly briefings on operational status of amphibious warship fleet of Department of the Navy.

Sec. 344. Briefing on plan for maintaining proficiency in emergency movement of munitions in Joint Region Marianas, Guam.

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Sec. 352. Restriction on retirement of U–28 Aircraft.

Sec. 353. Tribal liaisons.
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Sec. 355. Modifications to the Contested Logistics Working Group of the Department of Defense.
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Sec. 509. Extension of authority to vary number of Space Force officers considered for promotion to major general.
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Sec. 552. Determination of active duty service commitment for recipients of fellowships, grants, and scholarships.
Sec. 553. Military service academy professional sports pathway report and legislative proposal required.
Sec. 554. Community college Enlisted Training Corps demonstration program.
Sec. 555. Language training centers for members of the Armed Forces and civilian employees of the Department of Defense.
Sec. 556. Limitation on availability of funds for relocation of Army CID special agent training course.
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Sec. 608. OCONUS cost-of-living allowance: adjustments.

Sec. 609. Extension of one-time uniform allowance for officers who transfer to the Space Force.

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Sec. 1264. Prohibiting Federal funding for EcoHealth Alliance Inc.
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Sec. 2826. Elimination of flexibilities for adequacy or construction standards for military unaccompanied housing.
Sec. 2827. Design standards for military unaccompanied housing.
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Sec. 2873. Authorization for the Secretary of the Navy to resolve the electrical
utility operations at Former Naval Air Station Barbers Point
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Sec. 2875. Requirement that Department of Defense include military installa-
tion resilience in real property management and installation
master planning of Department.

Sec. 2876. Increase of limitation on fee for architectural and engineering serv-
ices procured by military departments.

Sec. 2877. Requirement that all material types be considered for design-bid-
build military construction projects.

Sec. 2878. Continuing education curriculum for members of the military con-
struction planning and design workforce and acquisition work-
force of the Department of Defense.

Sec. 2879. Guidance on Department of Defense-wide standards for access to in-
stallations of the Department.

Sec. 2880. Deployment of existing construction materials.

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DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY
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PROGRAMS

Subtitle A—National Security Programs and Authorizations

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

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Limitation on use of funds for naval nuclear fuel systems based on
low-enriched uranium.
Sec. 3112. Prohibition on ARIES expansion before realization of 30 pit per
year base capability.
Sec. 3113. Plutonium Modernization Program management.
Sec. 3114. Pantex explosives manufacturing capability.
Sec. 3115. Limitation on establishing an enduring bioassurance program within
the National Nuclear Security Administration.
Sec. 3116. Extension of authority on acceptance of contributions for accelera-
tion or removal or security of fissile materials, radiological ma-
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Sec. 3117. Modification of reporting requirements for program on vulnerable
sites.
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Sec. 3119. Limitation on use of funds until provision of spend plan for W80-
4 ALT weapon development.
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Sec. 3121. Enhancing National Nuclear Security Administration supply chain reliability.
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Sec. 3125. Technical amendments to the Atomic Energy Defense Act.
Sec. 3126. Amendment to period for briefing requirements.
Sec. 3127. Repeal of reporting requirements for Uranium Capabilities Replacement Project.

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Sec. 3141. Integration of technical expertise of Department of Energy into policymaking.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Maritime Administration.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.
(4) Division D—Funding Tables.

(b) Table of Contents.—The table of contents for this Act is as follows:

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.
DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT
Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.
Funds are hereby authorized to be appropriated for fiscal year 2024 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs
SEC. 111. REPORT ON ARMY REQUIREMENTS AND ACQUISITION STRATEGY FOR NIGHT VISION DEVICES.
(a) Report Required.—Not later than February 29, 2024, the Secretary of the Army shall submit to the congressional defense committees a report on night vision devices.

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

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

(2) An identification of the capabilities in night vision required by unit, including the number and type of units for each capability.
(3) An identification of the total requirement for night vision devices in the Army, disaggregated by number and type of unit.

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

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

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

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

(D) The expected date for achieving the capabilities.

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

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

SEC. 112. ARMY PLAN FOR ENSURING SOURCES OF CANNON TUBES.

(a) Updated Assessment.—The Secretary of the Army shall update the assessment of the Secretary on the sufficiency of the development, production, procurement,
and modernization of the defense industrial base for cannon and large caliber weapons tubes.

(b) SUBMITTAL TO CONGRESS.—Not later than February 29, 2024, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an update to the report submitted to Congress in March 2022 entitled “Army Plan for Ensuring Sources of Cannon Tubes”.

SEC. 113. STRATEGY FOR ARMY TACTICAL WHEELED VEHICLE PROGRAM.

(a) STRATEGY REQUIRED.—In the budget justification materials submitted in support of the budget of the Department of Defense (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) for fiscal year 2025 and every five years thereafter, the Secretary of the Army shall include a report on the strategy of the Army for tactical wheeled vehicles.

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

(1) align with the applicable national defense strategy under section 113(g) of title 10, United States Code, and applicable policies;
(2) be designed so that the force of tactical wheeled vehicles provided under the strategy supports the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 3043); and

(3) define capabilities and capacity requirements across the entire fleet of tactical wheeled vehicles, including—

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

(B) associated trailer and support equipment.

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

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

(2) A description of the necessary force structure and capabilities of tactical wheeled vehicles to meet the requirements of the national security strategy described in subsection (b)(2).

(3) The estimated levels of annual funding, by vehicle class, in both graphical and tabular form,
necessary to carry out the program described in paragraph (1), together with a discussion of the procurement strategies on which such estimated levels of annual funding are based.

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

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

(1) Objectives relating to protection, fleet operations, mission command, mobility, and the industrial base.

(2) Technological advances that will increase efficiency of and reduce demand for tactical wheeled vehicles.

(3) Technological advances that allow for the operation of tactical wheeled vehicles in a variety of climate and geographic conditions.

(4) Existing commercial technologies such as vehicle electrification, autonomous capabilities, and predictive maintenance, among others.

(5) The capabilities of autonomous equivalents to tactical wheeled vehicles.
(c) Briefing Requirements.—Not later than 15 days after each budget submission described in subsection (a), in conjunction with the submission of each strategy required by such subsection, the Secretary of the Army shall provide a briefing to the congressional defense committees that addresses the investment needed for each platform of tactical wheeled vehicle across the future-years defense program.

SEC. 114. EXTENSION AND MODIFICATION OF ANNUAL UPDATES TO MASTER PLANS AND INVESTMENT STRATEGIES FOR ARMY AMMUNITION PLANTS.

Section 2834(d) of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2201) is amended—

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

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

“(5) A description of any changes made to the master plan based upon current global events, including pandemics and armed conflicts.”.
SEC. 115. REPORT ON ACQUISITION STRATEGIES OF THE LOGISTICS AUGMENTATION PROGRAM OF THE ARMY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army, in conjunction with the Office of the Secretary of Defense and in coordination with the geographic combatant commanders, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report reviewing the proposed recompete of the operational task orders of the geographic combatant commands under the contract for the logistics augmentation program of the Army that will expire in 2028 (commonly referred to as “LOGCAP V”).

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

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

(2) Input from stakeholders, including Army Sustainment Command, the geographic combatant commanders, and Army service component commanders, on the desirability and operational impacts of the proposed recompete described in subsection (a).
(3) Detailed cost estimates and timelines, including projected transition costs and timelines for the task orders described in subsection (a).

(4) An assessment of the potential impacts related to quality and timing of transitioning to the new logistics augmentation program (commonly referred to as “LOGCAP VI”).

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

(6) An overview of potential innovations and efficiencies derived from a competition for LOGCAP VI.

(7) An explanation of the benefit of recompeting the task orders described in subsection (a) compared to an open competition for LOGCAP VI.

(8) A breakdown of additional authorities needed to move directly to LOGCAP VI.

Subtitle C—Navy Programs

SEC. 121. REDUCTION IN THE MINIMUM NUMBER OF NAVY CARRIER AIR WINGS AND CARRIER AIR WING HEADQUARTERS REQUIRED TO BE MAINTAINED.

Section 8062(e) of title 10, United States Code, is amended—
(1) in paragraph (1), by striking “until the earlier of” and all that follows and inserting “until the date on which additional operationally deployable aircraft carriers can fully support a 10th carrier air wing;”; and

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

SEC. 122. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

Section 130(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1665), as most recently amended by section 123(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking “through 2023” and inserting “through 2024”.

SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) Authority for Multiyear Procurement.—

Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of 10 Virginia class submarines.
(b) Authority for Advance Procurement and Economic Order Quantity.—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the Virginia class submarines for which authorization to enter into a multiyear procurement contract is provided under subsection (a) and for equipment or subsystems associated with the Virginia class submarine program, including procurement of—

(1) long lead time material; or

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

(c) Condition for Out-Year Contract Payments.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2025 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) Limitation on Termination Liability.—A contract for the construction of Virginia class submarines entered into under subsection (a) shall include a clause that limits the liability of the United States to the contractor for any termination of the contract. The maximum liability of the United States under the clause shall be the amount appropriated for the submarines covered by the
Subtitle D—Air Force Programs

SEC. 131. LIMITATIONS AND MINIMUM INVENTORY REQUIREMENT RELATING TO RQ–4 AIRCRAFT.

Section 9062 of title 10, United States Code, is amended by adding at the end the following new subsection:

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

“(A) retire an RQ–4 aircraft;

“(B) reduce funding for unit personnel or weapon system sustainment activities for RQ–4 aircraft in a manner that presumes future congressional authority to divest such aircraft;

“(C) keep an RQ–4 aircraft in a status considered excess to the requirements of the possessing command and awaiting disposition instructions (commonly referred to as ‘XJ’ status); or

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

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

SEC. 132. LIMITATION ON DIVESTITURE OF T–1A TRAINING AIRCRAFT.

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

(1) the fleet-wide implementation of the Undergraduate Pilot Training 2.5 curriculum and the effect of such implementation on the undergraduate pilot training pipeline; and

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

SEC. 133. MODIFICATION TO MINIMUM INVENTORY REQUIREMENT FOR A–10 AIRCRAFT.

(a) FISCAL YEAR 2017 NDAA.—Section 134(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2038), as amended by section 141(b)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law

### SEC. 134. MODIFICATION TO MINIMUM REQUIREMENT FOR TOTAL PRIMARY MISSION AIRCRAFT INVENTORY OF AIR FORCE FIGHTER AIRCRAFT.

Section 9062(i)(1) of title 10, United States Code, is amended by striking “1,145 fighter aircraft” and inserting “1,112 fighter aircraft”.

### SEC. 135. MODIFICATION OF LIMITATION ON DIVESTMENT OF F–15 AIRCRAFT.


1. in subsection (b)(1)—
2. (A) in subparagraph (C)(ii), by striking “; and” and inserting a semicolon;
3. (B) in subparagraph (D), by striking the period at the end and inserting “; and”; and
(C) by adding at the end the following new subparagraph:

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

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

“(ii) the estimated remaining service life of—

“(I) the aircraft; and

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

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

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

“(1) update the report required under subsection (b); and

“(2) submit such update to the congressional defense committees.”.
SEC. 136. REPORT ON AIR FORCE EXECUTIVE AIRCRAFT.

(a) In General.—Not later than January 1, 2025, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the following:

(1) An overview of the total missions flown by executive aircraft of the Air Force during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year, including the mission types and Government agencies supported.

(2) An identification of each mission flown by executive aircraft of the Air Force during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year, including the mission type, overall cost, average flight hour cost, and Government agency supported, disaggregated by wing and by type of aircraft.

(3) The projected mission capacity for executive aircraft of the Air Force for the five fiscal years following the fiscal year in which the report is submitted, disaggregated by fiscal year, factoring in any planned changes to aircraft inventory.

(4) A description of any anomalous conditions that may have impacted the availability, with respect to executive aircraft of the Air Force, of a specific
aircraft type or wing during the five fiscal years preceding the fiscal year in which the report is submitted, such as unavailability of a specific aircraft type due to block upgrades or fleetwide maintenance issues.

(5) A description of the impact of the capacity of executive aircraft of the Air Force on the overall capacity of the Department of Defense to meet demand for executive aircraft.

(6) The total outlays of the Department of the Air Force for missions flown by executive aircraft of the Air Force, after factoring in reimbursements received from Government agencies supported, during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year and by account.

(7) The projected budgets for the executive aircraft of the Air Force through the future years defense program.

(8) A narrative description of how the Air Force plans and budgets for missions flown by executive aircraft.

(9) Any other information the Secretary considers to be important.
(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex for the purposes of describing classified missions supported by the executive aircraft of the Air Force.

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

SEC. 141. PILOT PROGRAM TO ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES.

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

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

SEC. 142. REQUIREMENT TO DEVELOP AND IMPLEMENT POLICIES TO ESTABLISH THE DATALINK STRATEGY OF THE DEPARTMENT OF DEFENSE.

(a) POLICIES REQUIRED.—

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

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

(A) The designation of an organization that will act as the lead coordinator of datalink activities across the entire Department of Defense.

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

(C) The use of a common standardized datalink network or transport protocol that ensures interoperability between independently developed datalinks, regardless of physical medium used, and ensures mesh routing. The Secretary of Defense shall consider the use of a subset of Internet Protocol.

(D) A programmatic decoupling of the physical method used to transmit data, the network or transport protocols used in the transmission and reception of data, and the applications used to process and use data.

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

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

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

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

(b) INFORMATION TO CONGRESS.—Not later than
June 1, 2024, the Secretary of Defense shall provide to
the congressional defense committees the following:
(1) A briefing on the proposed policies required by subsection (a)(1), with timelines for implementation.

(2) An estimated timeline of implementations of datalinks.

(3) A list of any additional resources and authorities required to execute the strategy.

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

SEC. 143. REPORT ON CONTRACT FOR CYBERSECURITY CAPABILITIES AND BRIEFING.

(a) Report.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense shall submit to the congressional defense committees a report on the decision to exercise options on an existing contract to use cybersecurity capabilities to protect assets and networks across the Department of Defense.

(2) Elements.—The report required by paragraph (1) shall include the following:
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(A) A description of the potential effects on innovation and competition among cybersecurity vendors of the decision to exercise the cybersecurity options on the contract described in paragraph (1).

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

(C) A description of future plans of the Department of Defense to recompete the acquisition of integrated and interoperable cybersecurity tools and applications that would allow multiple vendors to compete separately and as teams.

(D) A copy of the analysis conducted by the Director of Cost Assessment and Program Evaluation of the Department of the costs and effectiveness of the cybersecurity capabilities covered by the contract described in paragraph (1).

(E) A copy of the analysis conducted by the Director of Operational Test and Evaluation of the Department of the effectiveness of the cybersecurity capabilities covered by the contract described in paragraph (1) compared
to other commercially available products and vendors.

(b) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense shall brief the congressional defense committees on the plans of the Department to ensure competition and interoperability in the security and identity and access management product market segments.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.
Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. UPDATED GUIDANCE ON PLANNING FOR EXPORTABILITY FEATURES FOR FUTURE PROGRAMS.

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

(1) Major defense acquisition programs (MDAPs) (as defined in section 4201 of title 10, United States Code), which shall include in the initial cost estimates for the programs a requirement to capture potential exportability needs.

(2) Middle tier acquisition (MTA) programs described in section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 3201 note prec.), which shall include an assessment of potential exportability needs prior to transition from rapid fielding or prototyping.
(b) Revision of Guidance for Program Protection Plans.—The Under Secretary shall revise guidance for program protection plans to integrate a requirement to determine exportability for the programs covered by such plans.

SEC. 212. SUPPORT TO THE DEFENCE INNOVATION ACCELERATOR FOR THE NORTH ATLANTIC.

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

(b) Notification.—

(1) In general.—Not later than 15 days after the date on which the Secretary makes a decision to provide funds pursuant to subsection (a), the Under Secretary shall submit to the congressional defense committees a written notification of such decision.

(2) Contents.—Notification submitted pursuant to paragraph (1) shall include the following:
(A) A detailed breakout of the funding provided.

(B) The intended purposes of such funds.

(C) The timeframe covered by such funds.

(c) Strategy.—

(1) In general.—Not later than July 1, 2024, the Under Secretary shall submit to the congressional defense committees a strategy for participation by the United States in the Initiative.

(2) Contents.—The strategy submitted pursuant to paragraph (1) shall include the following:

(A) A description for how the Initiative fits into the innovation ecosystem for the North Atlantic Treaty Organization, as well as how it is synchronized with and will interact with other science, technology, and innovation activities within the Department of Defense.

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

(C) Identification of key technology focus areas to be addressed each year across the future years defense program.

(D) Anticipated areas for expansion for key nodes or locations for the Initiative, including how the Initiative will contribute to fos-
entering the spread of innovation throughout the United States.

(d) **ANNUAL REPORT.**—Not later than February 1, 2024, and February 1 of each year thereafter through 2026, the Secretary shall submit to the congressional defense committees an annual report for Department supported activities of the Initiative, including the breakdown of funding provided for the previous fiscal year, and key milestones or achievements during that timeframe.

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

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

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

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

(2) in paragraph (4), by inserting “, including, upon separation, pay the travel, transportation, and relocation expenses to return to the location of origin, at the time of the initial appointment, within the United States” before the period at the end.
SEC. 214. ADMINISTRATION OF THE ADVANCED SENSORS APPLICATION PROGRAM.

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

(1) in subsection (a)—

(A) in paragraph (1), by striking “The Commander of Naval Air Systems Command and the Director of Air Warfare shall jointly serve” and inserting “The Under Secretary of Defense for Intelligence and Security, acting through the Director of the Air Force Office of Concepts, Development, and Management Office, shall serve”; and

(B) in paragraph (2), by striking “The resource sponsors of the Program shall be responsible” and inserting “The resource sponsor, in consultation with the Commander of Naval Air Systems Command, shall be responsible”;

(2) in subsection (b), by striking “Only the Secretary of the Navy, the Under Secretary of the Navy, and the Commander of Naval Air Systems Command may” and inserting “Only the Under Secretary of Defense for Intelligence and Security and the Director of the Air Force Concepts, Development, and Management Office, in consultation with
the Commander of Naval Air Systems Command, may’’; and

(3) in subsection (d)(3), by striking ‘‘exercised by the Commander of Naval Air Systems Command, the Secretary of the Navy, or the Under Secretary of the Navy’’ and inserting ‘‘exercised by the Under Secretary of Defense for Intelligence and Security and the Director of the Air Force Concepts, Development, and Management Office’’.

SEC. 215. DELEGATION OF RESPONSIBILITY FOR CERTAIN RESEARCH PROGRAMS.

Section 980(b) of title 10, United Stated Code, is amended—

(1) by inserting ‘‘(1)’’ before ‘‘The Secretary’’;

and

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

‘‘(2) The Secretary may delegate the authority provided by paragraph (1) to the Under Secretary of Defense for Research and Engineering.’’.

SEC. 216. PROGRAM OF STANDARDS AND REQUIREMENTS FOR MICROELECTRONICS.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall establish, not later than 180 days after the date of the enactment of this Act, a program within the National
Security Agency to develop and continuously update, as
the Secretary determines necessary, standards, commercial best practices, and requirements for the design, manufacture, packaging, test, and distribution of microelectronics acquired by the Department of Defense to provide acceptable levels of confidentiality, integrity, and availability for Department commercial-off-the-shelf (COTS) microelectronics, field programmable gate arrays (FPGAs), and custom integrated circuits (CICs).

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

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

(1) evidence-based assurance processes and techniques that sustain, build on, automate, and scale up the results and accomplishments of the Rapid Assured Microelectronics Prototypes (RAMP), RAMP-Commercial (RAMP-C), and State-of-the-Art Heterogeneous Integrated Packaging (SHIP) programs to enhance the confidentiality, integrity, and
availability of microelectronics while minimizing costs and impacts to commercial manufacturing practices;

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

(3) threat models that comprehensively characterize the threat to microelectronics confidentiality, integrity, and availability across the entire supply chain, and the design, production, packaging, and deployment cycle to support risk management and risk mitigation, based on the principle of reducing risk to as low a level as reasonably practicable, including—

(A) comparative risk assessments; and

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

(4) levels of assurance and associated requirements for the production and acquisition of commercial-off-the-shelf integrated circuits, integrated circuits subject to International Traffic in Arms Regulations (ITAR) under subchapter M of chapter I of title 22, Code of Federal Regulations, or successor
regulations, and classified integrated circuits using commercial foundry manufacturing process flows;

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

(6) guidance for the creation of a government organizational structure and plan to support the acquisition of fit-for-purpose microelectronics, including the role of the Defense Microelectronics Activity, the Crane Division of the Naval Surface Warfare Center, and the Joint Federated Assurance Center.

(d) MICROELECTRONICS ASSURANCE STANDARDS.—The program established pursuant to subsection (a) shall establish a Department microelectronics assurance standard that includes an overarching assurance framework as well as the guides developed under subsection (c)(5), for commercial-off-the-shelf integrated circuits, integrated circuits subject to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, or successor regulations, and classified microelectronics developed under subsection (c)(4).

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

(f) MANAGEMENT OF RAMP AND SHIP PROGRAMS.—Effective on the date of the establishment of the program required by subsection (a), such program shall assume management of the Rapid Assured Microelectronics Prototypes, Rapid Assured Microelectronics Prototypes-Commercial (RAMP-C), and State-of-the-Art Heterogeneous Integrated Packaging programs that were in effect on the day before the date of the enactment of this Act and executed by the Under Secretary of Defense for Research and Engineering.

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

(h) REQUIREMENTS FOR CONTRACTING FOR APPLICATION-SPECIFIC INTEGRATED CIRCUITS.—The Secretary shall ensure that, for contracts for application-specific integrated circuits designed by defense industrial base contractors—

(1) the use of evidence-based assurance processes and techniques are included in the contract data requirements list;
(2) commercial best industry practices for confidentiality, integrity, and availability are used;

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

(4) legal mechanisms are in place for data collection and sharing; and

(5) automation technology is adopted to achieve efficiency.

SEC. 217. CLARIFYING ROLE OF PARTNERSHIP INTERMEDIARIES TO PROMOTE DEFENSE RESEARCH AND EDUCATION.

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

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

“(A) assists”;

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(B) facilitates technology transfer from industry or academic institutions to the Center; or
“(C) assists and facilitates workforce development in critical technology areas and technology transition to fulfill unmet needs of a Center.”.

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

(a) Establishment.—

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

(A) to facilitate the research, development, testing, evaluation, and competition of secure generative artificial intelligence detection and watermark technologies that can support each Secretary of a military department and the commanders of combatant commands to support warfighting requirements; and

(B) to transition such technologies, including technologies developed from pilot programs, prototype projects, or other research and development programs, from the prototyping phase to production.
(2) PARTICIPATION.—The participants in the competition carried out pursuant to paragraph (1) may include Federally-funded research and development centers (FFRDCs), the private sector, the defense industrial base, academia, government agencies, and such other participants as the Secretary considers appropriate.

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

(4) DESIGNATION.—The competition established and carried out pursuant to paragraph (1) shall be known as the “Generative AI Detection and Watermark Competition”.

(b) ADMINISTRATION.—The Under Secretary of Defense for Research and Engineering shall administer the competition required by subsection (a).

(c) FRAMEWORK.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the framework the Secretary will use to carry out the competition required by subsection (a).

(d) ANNUAL REPORTS.—Not later than October 1 of each year until the termination of the competition established and carried out under subsection (a), the Secretary
shall submit to the congressional defense committees a report on the results of the competition.

(c) DEFINITIONS.—In this section:

(1) The term “detection” means a technology that can positively identify the presence of generative artificial intelligence in digital content.

(2) The term “watermarking” means embedding a piece of data onto detected artificial intelligence generated digital content, conveying attribution to the source generation.

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

Subtitle C—Plans, Reports, and Other Matters

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

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

(b) SCOPE.—
(1) IN GENERAL.—Each prize competition carried out under subsection (a) shall be structured to complement, and to the degree practicable, accelerate delivery or expand functionality of business systems capabilities being pursued by the affected Secretary, either currently in operation, in development, or for broad classes of systems covered by the business enterprise architecture required by section 2222(e) of title 10, United States Code.

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

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

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

(C) Automated updating of business architectures, business systems integration, or documentation related to existing systems or manuals.

(D) Improvements to interfaces or processes for interacting with other non-Department of Defense business systems.
(E) Updates or replacements for legacy business systems to improve operational effectiveness and efficiency, such as the Mechanization of Contract Administration Services (MOCAS).

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

(G) Pay and personnel systems, or expanded capability, that could be integrated into existing systems.

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

(I) Systems supporting industrial base and supply chain visibility, analytics, and management.

**SEC. 222. UPDATE TO PLANS AND STRATEGIES FOR ARTIFICIAL INTELLIGENCE.**

(a) In general.—The Secretary of Defense shall, in consultation with the Deputy Secretary of Defense—

(1) establish and document procedures, including timelines, for the periodic review of the 2018 Department of Defense Artificial Intelligence Strategy, or any successor strategy, and associated an-
nexes of the military departments to assess the implementation of the strategy and whether any revision is necessary;

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

(A) the adoption of artificial intelligence;

(B) adoption and enforcement of policies on the ethical use of artificial intelligence systems; and

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

(3) issue Department-wide guidance regarding—

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

(B) means to enforce and update ethics policy and guidelines across all adopted artificial intelligence systems; and

(C) means to identify, monitor, and mitigate bias in artificial intelligence algorithms;

(4) develop a strategic plan for the development, use, and cybersecurity of generative artificial
intelligence, including a policy for use of, and defense against adversarial use of, generative artificial intelligence;

(5) assess technical workforce needs across the future years defense plan to support the continued development of artificial intelligence capabilities, including recruitment and retention policies and programs;

(6) assess the availability and adequacy of the basic artificial intelligence training and education curricula available to the broader Department civilian workforce and military personnel to promote artificial intelligence literacy to the nontechnical workforce and senior leadership with responsibilities adjacent to artificial intelligence technical development;

(7) develop and issue a timeline and guidance for the Chief Digital and Artificial Intelligence Officer of the Department and the Secretaries of the military departments to establish a common terminology for artificial intelligence-related activities;

(8) develop and implement a plan to protect and secure the integrity, availability, and privacy of artificial intelligence systems and models, including large language models, data libraries, data reposi-
(9) develop and implement a plan—
   (A) to identify commercially available and
   relevant large language models; and
   (B) to make those available, as appro-
priate, on classified networks;
(10) develop a plan to defend the people, orga-
nizations, and systems of the Department against
adversarial artificial intelligence, including identifica-
tion of organizations within the Department that
could provide red teams capabilities for operational
and developmental needs;
(11) develop and implement a policy for use by
contracting officials to protect the intellectual prop-
erty of commercial entities that provide their artifi-
cial intelligence algorithms to a Department reposi-
tory established pursuant to section 232 of the Na-
tional Defense Authorization Act for Fiscal Year
2022 (Public Law 117–81; 10 U.S.C. 4001 note),
including policy for how to address data rights in
situations in which government and commercial in-
tellectual property may be mixed when such artificial
intelligence algorithms are deployed in an oper-
ational environment;
(12) issue guidance and directives for how the
Chief Digital and Artificial Intelligence Officer of
the Department will exercise authority to access,
control, and maintain, on behalf of the Secretary,
data collected, acquired, accessed, or utilized by De-
partment components consistent with section 1513
of the James M. Inhofe National Defense Authoriza-
tion Act for Fiscal Year 2023 (Public Law 117–263;
10 U.S.C. 4001 note); and

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

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

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

(2) BRIEFING.—Not later than 150 days after
the date of the enactment of this Act, the Secretary
shall provide to the congressional defense commit-
tees a briefing on the procedures, guidance, plans,
assessment, and timelines established, issued, carried out, or developed under subsection (a).

SEC. 223. WESTERN REGIONAL RANGE COMPLEX DEMONSTRATION.

(a) DEMONSTRATION REQUIRED.—The Secretary shall carry out a demonstration of a joint multi-domain nonkinetic testing and training environment across military departments by interconnecting existing ranges and training sites in the western States to improve joint multi-domain nonkinetic training and further testing, research, and development.

(b) USE OF EXISTING RANGES AND CAPABILITIES.—The demonstration carried out pursuant to subsection (a) shall use existing ranges and range capability, unless capability gaps are identified in the process of planning specific demonstration activities.

(c) ACTIVITIES.—The demonstration carried out pursuant to subsection (a) shall include the following:

(1) Electromagnetic spectrum operations.

(2) Electromagnetic warfare.

(3) Operations in the information environment.

(4) Joint All Domain Command and Control (JADC2).

(5) Information warfare, including the following:
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(A) Intelligence, surveillance, and reconnaissance.

(B) Offensive and defense cyber operations.

(C) Electromagnetic warfare.

(D) Space operations.

(E) Psychological operations.

(F) Public affairs.

(G) Weather operations.

(d) TIMELINE FOR COMPLETION OF INITIAL DEMONSTRATION.—In carrying out subsection (a), the Secretary shall seek to complete an initial demonstration, interconnecting two or more ranges or testing sites of two or more military departments in the western States, subject to availability of appropriations, not later than one year after the date of the enactment of this Act.

(e) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on—

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

(2) how the design architecture of the plan is in alignment with recommendations of the 2020 De-
department of Defense Electromagnetic Spectrum Superiority Strategy; and

(3) how the design architecture will support high-periodicity training, testing, research, and development.

(f) DEFINITION.—In this section:

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

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

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

SEC. 224. REPORT ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING A QUANTUM COMPUTING INNOVATION CENTER.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Under Secretary of Defense for Research and Engineering and the Chief Digital and Artificial Intelligence Officer, submit to the congressional defense committees a report on the feasibility and advisability of establishing a quantum computing innovation center within the Department of Defense—
(1) to identify and pursue the development of quantum computing applications to enhance military operations;

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

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

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

(1) An assessment of the ongoing activities of the Department that are part of the National Quantum Initiative.

(2) An evaluation of the plans of the Department to develop quantum computing, sensing, and networking applications.

(3) The level of funding and resources invested by the Department to enable quantum military applications.

(4) Any established metrics or performance indicators to track the progress of quantum technology developments.

(5) The extent to which the Department is partnering with commercial entities engaging in quantum research and development.
(6) An evaluation of any plans establishing how commercial advances in quantum technology can be leveraged for military operations.

(7) An assessment of the maturity of United States competitor efforts to develop quantum applications for adversarial use.

(8) An assessment of any processes to harmonize or coordinate activities across the Department to develop quantum computing applications.

(9) An evaluation of any Department-issued policy guidance regarding quantum computing applications.

(10) An evaluation of any Department plans to defend against adversarial use of quantum computing applications.

SEC. 225. BRIEFING ON THE IMPEDIMENTS TO THE TRANSITION OF THE SEMANTIC FORENSICS PROGRAM TO OPERATIONAL USE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall, in consultation with the Office of General Counsel of the Department of Defense and the Director of the Defense Advanced Research Projects Agency, provide to the Committee on Armed Services of the Senate and the Commi-
mittee on Armed Services of the House of Representatives

a briefing on the impediments to the transition of the Se-

mantic Forensics program to operational use.

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

(1) Identification of policy and legal challenges
associated with the transition described in subsection
(a) and implementation of the Semantic Forensics
program, including with respect to the use and oper-

ational testing of publicly available information.

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

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

SEC. 226. ANNUAL REPORT ON DEPARTMENT OF DEFENSE

HYPERSONIC CAPABILITY FUNDING AND IN-
VESTMENT.

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

(1) include cost data on the vehicles, testing, hypersonic sensors, command and control architectures, infrastructure, testing infrastructure, software, workforce, training, ranges, integration costs, and such other items as the Secretary considers appropriate;

(2) disaggregate information reported by offensive and defensive hypersonic capabilities;

(3) for research relating to hypersonic capabilities, include the program element and the name of the entity that is conducting the research, a description of the purpose of the research, and any Uniform Resource Locators to weapon programs associated with the research; and

(4) to the degree applicable, include all associated hypersonic program elements and line items.

(c) FORM.—Each report submitted pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.
SEC. 227. LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL FOR OFFICE OF UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS PENDING A PLAN FOR MODERNIZING DEFENSE TRAVEL SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2024 for travel for the office of the Under Secretary of Defense for Personnel and Readiness, not more than 85 percent may be obligated or expended until the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives supporting justification material underpinning the decision to cease current modernization efforts for the Defense Travel System (DTS), and a plan going forward for modernizing or replacing such system.

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

(1) The documentation from the Milestone Decision Authority (MDA) justifying cancellation of the current modernization contract, including—

(A) specific metrics used to make that determination;

(B) a timeline for decisions leading to the final cancellation;
(C) notification from the military departments when they were unable to make the desired usage rates using the current modernization prototype;

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

(E) alternatives considered prior to cancellation.

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

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

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

(3) A description from the Milestone Decision Authority on what the current plan is for modernizing the Defense Travel System, including timelines and potential costs.
SEC. 228. ANNUAL REPORT ON UNFUNDED PRIORITIES FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.

(a) In General.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222d the following new section:

"§ 222e. Unfunded priorities for research, development, test, and evaluation activities

“(a) Annual Report.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to the congressional defense committees a report on the unfunded priorities of the Department of Defense-wide research, development, test, and evaluation activities.

“(b) Contents.—

“(1) In general.—Except as provided in subsection (c), each report submitted under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

“(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).
“(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

“(C) Account information with respect to such priority, including the following (as applicable):

“(i) Line Item Number (LIN) for applicable procurement accounts.

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

“(2) PRIORITIZATION OF PRIORITIES.—The report under subsection (a) shall present the unfunded priorities covered by such report in order of urgency of priority.

“(c) EXCLUSION OF PRIORITIES COVERED IN OTHER REPORTS.—The report submitted under subsection (a) shall not include unfunded priorities or requirements covered in reports submitted under—

“(1) section 222a or 222b; or


“(d) FORM.—Each report submitted pursuant to subsection (a) shall be submitted in classified format, but the
Secretary may also submit an unclassified version as the Secretary considers appropriate.

“(e) UNFUNDED PRIORITY DEFINED.—In this section, the term ‘unfunded priority’, in the case of a fiscal year, means a program, activity, or mission requirement, that—

“(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

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

“(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

“(B) the program, activity, or mission requirement has emerged since the budget was formulated.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 222d the following new item:

“222e. Annual report on unfunded priorities for research, development, test, and evaluation activities.”.
TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Energy and Environment

SEC. 311. REQUIREMENT FOR APPROVAL BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT OF ANY WAIVER FOR A SYSTEM THAT DOES NOT MEET FUEL EFFICIENCY KEY PERFORMANCE PARAMETER.


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

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

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

“(2) **Waiver of Fuel Efficiency Key Performance Parameter.—**

“(A) **In General.—** The fuel efficiency key performance parameter implemented under paragraph (1) may be waived for a system only if such waiver is approved by the Under Secretary of Defense for Acquisition and Sustainment.

“(B) **Nondelegation.—** The waiver authority under subparagraph (A) may not be delegated.”.

SEC. 312. IMPROVEMENT AND CODIFICATION OF SENTINEL LANDSCAPES PARTNERSHIP PROGRAM AUTHORITY.

(a) **Codification of Existing Statute.—** Section 317 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2684a note) is amended—

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

(2) by redesignating such section as section 2693; and
(3) by amending the section heading to read as follows:

§ 2693. Sentinel Landscapes Partnership.

(b) Improvements to Sentinel Landscapes Partnership Program.—Section 2693 of title 10, United States Code, as transferred and redesignated by subsection (a), is further amended—

(1) in subsection (a), by striking “and the Secretary of the Interior” and inserting “, the Secretary of the Interior, and the heads of other Federal departments and agencies that elect to become full partners”;

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

(3) by amending subsection (c) to read as follows:

“(c) Coordination of Activities.—The Secretaries and the heads of Federal departments and agencies, in carrying out this section, may coordinate actions between their departments and agencies and with other Federal, State, interstate, and local agencies, Indian Tribes, and private entities to more efficiently work together for
the mutual benefit of conservation, resilience, working
lands, and national defense, and to encourage owners and
managers of land to engage in voluntary land manage-
ment, resilience, and conservation activities that con-
tribute to the sustainment of military installations, State-
owned National Guard installations, and associated air-
space.”;

(4) in subsection (d)—

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

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

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

(6) by inserting after subsection (e) the fol-
lowing new subsection (f):
“(f) Rule of Construction.—Nothing in this section may be construed to require an owner or manager of land, including a private landowner or agricultural producer, to participate in any land management, resilience, or conservation activity under this section.”;

(7) in subsection (g), as redesigned by paragraph (5)—

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

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

(C) in paragraph (3), by amending subparagraph (B) to read as follows:

“(B) the publicly and privately owned lands that serve to protect and support the rural economy, the natural environment, outdoor recreation, and the national defense missions of a military installation or State-owned National Guard installation.”.

(c) Clerical Amendment.—The table of sections at the beginning of chapter 159 of title 10, United States
Code, is amended by inserting after the item relating to section 2692 the following new item:

“2693. Sentinel Landscapes Partnership.”.

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

Section 324(g) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) by striking paragraph (2);

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

(3) by inserting before paragraph (2), as redesignated by paragraph (2) of this section, the following new paragraph:

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

“(A) monoglycerides, diglycerides, and triglycerides;

“(B) free fatty acids; or

“(C) fatty acid esters.”; and

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

“(3) The term ‘biomass’ has the meaning given that term in section 45K(c)(3) of the Internal Revenue Code of 1986.
“(4) The term ‘lifecycle greenhouse gas emissions reduction percentage’ means, with respect to any sustainable aviation fuel, the percentage reduction in lifecycle greenhouse gas emissions achieved by such fuel as compared with petroleum-based aviation fuel, as determined in accordance with—

“(A) the most recent Carbon Offsetting and Reduction Scheme for International Aviation that has been adopted, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, by the International Civil Aviation Organization with the agreement of the United States; or

“(B) the most recent determinations, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, under the Greenhouse gases, Regulated Emissions, and Energy use in Transportation (GREET) model developed by Argonne National Laboratory.

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

“(A) meets the requirements of—
“(i) ASTM International Standard D7566; or

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

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

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

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

SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTIES IN CONNECTION WITH NAVAL AIR STATION MOFFETT FIELD, CALIFORNIA.

(a) Authority to Transfer Funds.—

(1) Transfer Amount.—

(A) In general.—The Secretary of the Navy may transfer an amount not to exceed $438,250 to the Hazardous Substance Superfund established under section 9507 of the In-
ternal Revenue Code of 1986, in accordance with section 2703(f) of title 10, United States Code.

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

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

(b) PURPOSE OF TRANSFER.—Any transfer under subsection (a)(1)(A) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency on May 4, 2018, regarding former Naval Air Station, Moffett Field, California, under the Federal Facility Agreement for Naval Air Station, Moffett Field, which was entered into between the Navy and the Environmental Protection Agency in 1990 pursuant to section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620).
(c) Acceptance of Payment.—If the Secretary of the Navy makes a transfer under subsection (a)(1)(A), the Administrator of the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty described in subsection (b).

SEC. 315. TECHNICAL ASSISTANCE FOR COMMUNITIES AND INDIVIDUALS POTENTIALLY AFFECTED BY RELEASES AT CURRENT AND FORMER DEPARTMENT OF DEFENSE FACILITIES.

(a) Technical Assistance for Navigation of Response Actions.—

(1) In General.—Beginning not later than 180 days after the date of the enactment of this Act, and subject to such amounts as are provided in appropriations Acts, the Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation, shall furnish technical assistance services described in paragraph (3) through the Technical Assistance for Public Participation (TAPP) Program of the Department of Defense to communities, or individuals who are members thereof, that have been affected by a release of a pollutant affirmatively determined to have originated from a facility under the jurisdiction of, or formerly used by or under the jurisdiction of, the Department.
(2) IMPLEMENTATION.—The Secretary, acting through the Director of the Office of Local Defense Community Cooperation, may furnish technical assistance services pursuant to paragraph (1) through a Federal interagency agreement, a private service provider, or a cooperative agreement entered into with a nonprofit organization.

(3) SERVICES PROVIDED.—The technical assistance services described in this paragraph are services to improve public participation in, or assist in the navigation of, environmental response efforts, including—

(A) the provision of advice and guidance to a community or individual specified in paragraph (1) regarding additional technical assistance with respect to which such community or individual may be eligible (including pursuant to subsection (b));

(B) the interpretation of site-related documents;

(C) the interpretation of health-related information;

(D) assistance with the preparation of public comments; and
(E) the development of outreach materials to improve public participation.

(b) Grants for Technical Assistance.—

(1) Authority.—Beginning not later than 180 days after the date of the enactment of this Act, and subject to such amounts as are provided in appropriations Acts, the Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation, shall administer a grant program under which the Director may award a grant to a community, or individuals who are members thereof, that have been affected by a release of a pollutant affirmatively determined to have originated from a facility under the jurisdiction of, or formerly used by or under the jurisdiction of, the Department of Defense.

(2) Use of Amounts.—Funds provided under a grant awarded pursuant to paragraph (1) in connection with a release of a pollutant at a facility may be used by the grant recipient only to obtain technical assistance and services for public participation in various stages of the processes of response, remediation, and removal actions at the facility, including—
(A) interpreting the nature of the release, including monitoring and testing plans and reports associated with site assessment and characterization at the facility;

(B) interpreting documents, plans, proposed actions, and final decisions related to—

(i) an interim remedial action;

(ii) a remedial investigation or feasibility study;

(iii) a record of decision;

(iv) a remedial design;

(v) the selection and construction of remedial action;

(vi) operation and maintenance; and

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

(C) a removal action at such facility; and

(D) services specified under subsection (a)(3).

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

(1) lobbying activities; or

(2) legal challenges of final decisions of the Department of Defense.
Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 321. TREATMENT OF CERTAIN MATERIALS CONTAMINATED WITH PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

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

(b) DEFINITIONS.—In this section, the terms “covered material” and “PFAS” have the meanings given those terms in section 343(e) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2701 note).
SEC. 322. INCREASE OF TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.


“(iv) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than
$5,000,000 during fiscal year 2024 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.”.

SEC. 323. MODIFICATION OF AUTHORITY FOR ENVIRONMENTAL RESTORATION PROJECTS AT NATIONAL GUARD FACILITIES.

(a) Clarification of Definition of National Guard Facilities.—Paragraph (4) of section 2700 of title 10, United States Code, is amended—

(1) by striking “State-owned”;

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

(3) by striking “even though such land is not under the jurisdiction of the Department of Defense.” and inserting “without regard to—”

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

“(B) whether the facility is under the jurisdiction of the Department of Defense or a military department.”.

(b) Inclusion Under Defense Environmental Restoration Program.—Section 2701(a)(1) of such title is amended by striking “State-owned”.
(c) **Response Actions at National Guard Facilities.**—Section 2701(c)(1)(D) of such title is amended by striking “State-owned”.

(d) **Services of Other Entities.**—Section 2701(d)(1) of such title is amended, in the second sentence, by inserting “or at a National Guard facility” before the period at the end.

(e) **Environmental Restoration Accounts.**—Section 2703(g)(1) of such title is amended by inserting “, a National Guard facility,” after “Department of Defense”.

(f) **Technical and Conforming Amendments.**—

(1) **Repeal.**—Section 2707 of such title is amended by striking subsection (e).

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


SEC. 324. LIMITATION ON AVAILABILITY OF TRAVEL FUNDS

UNTIL SUBMITTAL OF PLAN FOR RESTORING DATA SHARING ON TESTING OF WATER FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act for operation and maintenance, defense-wide, for travel for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 85 percent may be obligated or expended until the Under Secretary of Defense for Acquisition and Sustainment submits to the congressional defense committees a plan to restore data sharing pertaining to the testing of water for perfluoroalkyl or polyfluoroalkyl substances, as required under section 345 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note), which shall include the following:

(1) A plan to restore data sharing with each relevant State agency tasked with regulation of environmental contamination by perfluoroalkyl or polyfluoroalkyl substances in each State or territory of the United States.

(2) A plan to restore data sharing with restoration advisory boards established under section 2705(d) of title 10, United States Code.
(3) Information on the geographic specificity of the data to be provided under paragraphs (1) and (2) and a timeline for the implementation of the plans under such paragraphs.

(b) INABILITY TO MEET TRANSPARENCY REQUIREMENTS.—If the Under Secretary of Defense for Acquisition and Sustainment determines that they are unable to meet the requirements under subsection (a), the Under Secretary shall brief the congressional defense committees on the rationale for why the restoration of data sharing required under such subsection is not possible, including a description of any legislative action required to restore such data sharing.

SEC. 325. DASHBOARD OF FUNDING RELATING TO PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

The Secretary of Defense shall include with the submission to Congress by the President of the annual budget of the Department of Defense for a fiscal year under section 1105(a) of title 31, United States Code, a separate budget justification document that consolidates all information pertaining to activities of the Department of Defense relating to perfluoroalkyl substances and polyfluoroalkyl substances, including funding for and descriptions of—
(1) research and development efforts;
(2) testing;
(3) remediation;
(4) contaminant disposal; and
(5) community outreach.

SEC. 326. REPORT ON SCHEDULE AND COST ESTIMATES
FOR COMPLETION OF TESTING AND REMEDIATION OF CONTAMINATED SITES AND PUBLICATION OF CLEANUP INFORMATION.

(a) Report.—

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

(A) a proposed schedule for the completion of testing and remediation activities, including remediation of perfluoroalkyl substances and polyfluoroalkyl substances, at military installations, facilities of the National Guard, and formerly used defense sites in the United States where the Secretary obligated funding for environmental restoration activities in fiscal year 2022;
(B) detailed cost estimates to complete such activities, if such estimates are available; and

(C) if such estimates are not available, estimated costs to complete such activities based on historical costs of remediation for—

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

(ii) other Federally-funded sites; or

(iii) privately-funded sites.

(2) Inclusion of Remedial Investigations and Feasibility Studies.—The schedule and cost estimates required under paragraph (1) shall include a schedule and estimated costs for the completion of remedial investigations and feasibility studies at all sites covered under such paragraph for which such investigations and studies are anticipated or planned.

(3) Military Installation Defined.—In this subsection, the term “military installation” has the meaning given such term in section 2801(c)(4) of title 10, United States Code.
(b) **Publication of Information.**—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Defense shall publish on the publicly available website established under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2701 note) timely and regularly updated information on the status of cleanup at sites for which the Secretary has obligated amounts for environmental restoration activities.

**SEC. 327. Modification of Timing of Report on Activities of PFAS Task Force.**

Section 2714(f) of title 10, United States Code, is amended by striking “and quarterly thereafter,” and inserting “and annually thereafter through 2029,“.


Not later than one year after the date of the enactment of this Act, and not later than five years thereafter, the Comptroller General of the United States shall submit to the congressional defense committees a report assessing the state of ongoing testing and remediation by the Department of Defense of current or former military installa-
tions contaminated with perfluoroalkyl substances or polyfluoroalkyl substances, including—

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

(2) recommendations to improve those efforts; and

(3) such other matters as the Comptroller General determines appropriate.

Subtitle D—Logistics and Sustainment

SEC. 331. ASSURING CRITICAL INFRASTRUCTURE SUPPORT FOR MILITARY CONTINGENCIES PILOT PROGRAM.

(a) Establishment of Pilot Program.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to be known as the “Assuring Critical Infrastructure Support for Military Contingencies Pilot Program”.

(b) Selection of Installations.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric
(2) Prioritization.—

(A) In General.—In selecting military installations under paragraph (1), the Secretary of Defense shall give priority to any military installation that is a key component of not fewer than two Contingency Plans (CONPLANs) or Operational Plans (OPLANs), with priority given to such plans in the area of responsibility of the United States Indo-Pacific Command or the United States European Command.

(B) Additional Priority.—If two or more military installations are given equal priority under subparagraph (A), priority for selection under paragraph (1) shall be given to the military installations that are—

(i) connected to national-level infrastructure;

(ii) located near a commercial port; or

(iii) located near a national financial hub.

(c) Activities.—In carrying out the pilot program under subsection (a), the Secretary of Defense, acting
through the Assistant Secretary of Defense for Homeland
Defense and Hemispheric Affairs, shall—

(1) without duplicating or disrupting existing
cyber exercise activities under the National Cyber
Exercise Program under section 2220B of the
conduct cyber resiliency and reconstitution stress
test scenarios through tabletop exercises and, if pos-
sible, live exercises—

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

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

(2) map dependencies of power, water, and tele-
communications at the military installation and the
connections to distribution and generation outside
the military installation;
(3) recommend priorities for the order of recovery for the military installation in the event of a significant cyberattack, considering both the requirements needed for operations of the military installation and the potential participation of personnel at the military installation in an overseas contingency operation or a homeland defense mission; and

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

(d) COORDINATION WITH RELATED PROGRAMS.—

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

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

(2) relevant military and civilian personnel; and

(3) any other entity that the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs determines is relevant to the execution of activities under subsection (c).
(c) Report.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Assistant to the President for Homeland Security, the National Cyber Director, the head of any other relevant Sector Risk Management Agency, the Committees on Armed Services of the Senate and the House of Representatives, and, if appropriate, relevant private sector owners and operators of critical infrastructure a report on the activities carried out under pilot program under subsection (a), including a description of any operational challenges identified.

(f) Definitions.—In this section:

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

(2) Sector Risk Management Agency.—The term “Sector Risk Management Agency” has the meaning given that term in section 2200 of the Homeland Security Act of 2002 (6 U.S.C. 650).

SEC. 332. STRATEGY AND ASSESSMENT ON USE OF AUTOMATION AND ARTIFICIAL INTELLIGENCE FOR SHIPYARD OPTIMIZATION.

(a) Strategy.—The Secretary of Navy, in coordination with the Shipyard Infrastructure Optimization Pro-
gram, shall develop and implement a strategy to leverage commercial best practices used in shipyards to make operations more efficient and demonstrate a digital maintenance artificial intelligence platform that analyzes data on the maintenance and health of shipboard assets of the Navy at shipyards, which shall improve readiness of the Armed Forces, predict and diagnose issues before they occur, and lower maintenance costs.

(b) **Assessment.**—The Secretary of Navy shall assess the costs of maintenance delays on shipboard assets of the Navy and assess the potential cost savings of adopting artificial intelligence predictive maintenance technology techniques that help determine the condition of in-service equipment to estimate when maintenance should be performed rather than waiting until failure or end of life, including—

1. an analysis of maintenance delays and costs due to unplanned and unpredicted maintenance issues;
2. an evaluation of opportunities to demonstrate commercial best practices at shipyards, including artificial intelligence technologies to ensure timely predictions for maintainers and planners at shipyards by connecting datasets, executing models, and providing outputs in near real-time;
(3) an identification of shipyard assets of the Navy with sufficient data available to enable near-term demonstrations of artificial intelligence predictive maintenance and an estimate of resources needed within the Navy to accelerate the demonstration of predictive artificial intelligence capabilities with respect to those assets; and

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

(c) BRIEFING TO COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Navy shall provide to the congressional defense committees a briefing on—

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

(2) the results of the assessment under subsection (b); and

(3) a plan to execute any measures pursuant to such assessment.
Subtitle E—Briefings and Reports

SEC. 341. CRITICAL INFRASTRUCTURE CONDITIONS AT MILITARY INSTALLATIONS.

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

(1) have not been privatized pursuant to a conveyance under section 2688 of title 10, United States Code; and

(2) are located on a military installation.

(b) REPORT.—

(1) IN GENERAL.—Beginning on February 1 of the year immediately following the date on which the plan under subsection (a) is submitted, and annually thereafter, the Secretary of Defense, in coordination with the head of each military department, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a consolidated report on the condition of critical infrastruc-
ture systems owned by the Federal Government at military installations.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) Installation-level critical infrastructure system data for each critical infrastructure system owned by the Federal Government located at a military installation that includes the following for each such system:

(i) All instances of noncompliance with any applicable Federal or State law (including regulations) with which the system has been required to comply during the preceding five-year period, including information on any prior or current consent order or equivalent compliance agreement with any regulatory agency.

(ii) The year of original installation of major critical infrastructure system components, including treatment facilities, pump stations, and storage tanks.

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

(iv) The rate of system recapitalization, represented as an annual percentage
replacement rate of all critical infrastructure system assets.

(v) The percentage of key system operational components inspected, and determined through actual testing to be fully operational, during the preceding one-year period, including fire hydrants, valves, and backflow preventors.

(vi) The absolute number, and a normalized measure for comparative purposes, of all unplanned system outages during the preceding one-year period.

(vii) The absolute duration, and a normalized measure for comparative purposes, of all unplanned system outages during the preceding one-year period.

(viii) The absolute number, and a normalized measure for comparative purposes, of all critical infrastructure system main breaks and leaks during the preceding one-year period.

(B) A standardized risk assessment for each military installation, identifying the current and projected level of risk related to the following:
(i) The ability to maintain compliance with all current and known future regulatory agency regulations and standards and all applicable regulations and policies of the Department of Defense and the military departments related to critical infrastructure, and the ability to operate systems in accordance with accepted industry standards.

(ii) The ability to maintain a consistent and compliant supply of water for current and projected future installation needs based on current and projected source water availability and quality, including an assessment of source water contamination risks.

(iii) The ability to withstand severe weather events, including drought, flooding, and temperature fluctuations.

(iv) The ability for utility industrial controls systems to maintain compliance with current and future cybersecurity standards and regulations.
SEC. 342. REPORT ON ESTABLISHING SUFFICIENT STABLING, PASTURE, AND TRAINING AREA FOR THE OLD GUARD CAISSON PLATOON EQUINES.

(a) In General.—Not later than March 1, 2024, the Secretary of the Army shall submit to the congressional defense committees a report containing the results of a study to address the feasibility and advisability of establishing sufficient stabling, pasture, and training area for the equines in the Caisson Platoon of the 3rd United States Infantry (commonly known as the “Old Guard”).

(b) Inclusion of Recommendations.—The report required under subsection (a) shall include—

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

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

(B) to ensure proper animal facility sanitation for the equines in the Caisson Platoon of the 3rd United States Infantry; and

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

(c) Locations.—
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(1) Review of military construction authorization.—The report required under subsection (a) shall include a review of all physical locations under consideration as stabling, pasture, or training area described in such subsection for any withdrawals or projects that would require individual military construction authorization.

(2) Consideration.—In considering locations for stabling, pasture, or training area under subsection (a), the Secretary of the Army shall consider all viable options within a reasonable distance to Arlington National Cemetery.

(d) Elements.—The report required under subsection (a) shall include, for each location under consideration as stabling, pasture, or training area described in such subsection—

(1) a brief environmental assessment of the location;

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

(3) a narrative of how the location will be beneficial and conducive the health of the equines in the Caisson Platoon of the 3rd United States Infantry;

(4) a narrative of how, if necessary, the location can be expanded; and
(5) a narrative of how the location will affect community access to outdoor recreation.

SEC. 343. QUARTERLY BRIEFINGS ON OPERATIONAL STATUS OF AMPHIBIOUS WARSHIP FLEET OF DEPARTMENT OF THE NAVY.

(a) IN GENERAL.—Not later than October 1, 2023, and quarterly thereafter until September 30, 2024, the Secretary of the Navy shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the operational status of the amphibious warship fleet of the Department of the Navy.

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

(1) Average quarterly Operational Availability (AO).

(2) Number of days underway as follows:

(A) Training for the purpose of supporting Mission Essential Tasks (in this section referred to as “MET”) of the Marine Corps, including unit level well-deck or flight-deck operations training and Amphibious Ready Group and Marine Expeditionary Unit integrated training.
(B) Deployed, which shall not include
scheduled or unscheduled in port maintenance.

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

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

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

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

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

(e) DEFINITIONS.—In this section:

(1) AMPHIBIOUS WARSHIP.—The term “am-
phibious warship” means a ship that is classified as
an amphibious assault ship (general purpose)
(LHA), an amphibious assault ship (multi-purpose)
(LHD), an amphibious transport dock (LPD), or a
dock landing ship (LSD) that is included in the Bat-
tle Force Inventory in accordance with instruction
5030.8D of the Secretary of the Navy, or successor instruction.

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

(A) three amphibious assault ships (general purpose) (LHA) or amphibious assault ships (multi-purpose) (LHD); and

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

SEC. 344. BRIEFING ON PLAN FOR MAINTAINING PROFICIENCY IN EMERGENCY MOVEMENT OF MUNITIONS IN JOINT REGION MARIANAS, GUAM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall brief the congressional defense committees on a plan for maintaining the proficiency of the Navy and the Air Force, respectively, in executing the emergency movement of munitions stored in weapons storage areas in Joint Region Marianas, Guam, onto aircraft and naval vessels, including plans to regularly exercise such capabilities.
Subtitle F—Other Matters

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

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

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

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

SEC. 352. RESTRICTION ON RETIREMENT OF U–28 AIR-
CRAFT.

None of the funds authorized to be appropriated by
this Act may be used to retire U–28 aircraft until the Sec-
retary of Defense certifies to the congressional defense
committees that the future-years defense program sub-
mitted to Congress under section 221 of title 10, United
States Code, with respect to the United States Special Op-
erations Command provides for intelligence, surveillance,
and reconnaissance capacity and capability that is equal
to or greater than such capacity and capability provided
by the current fleet of U–28 aircraft for such Command.

SEC. 353. TRIBAL LIAISONS.

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

(b) DEFINITIONS.—In this section:

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

(2) NATIVE HAWAIIAN ORGANIZATION.—The
term “Native Hawaiian organization” has the mean-
ing given that term in section 6207 of the Element-
tary and Secondary Education Act of 1965 (20
SEC. 354. LIMITATION ON USE OF FUNDS TO EXPAND LEASED FACILITIES FOR THE JOINT MILITARY INFORMATION SUPPORT OPERATIONS WEB OPERATIONS CENTER.

None of the amounts authorized by this Act for operation and maintenance, Defense-wide to expand leased facilities for the Joint Military Information Support Operations Web Operations Center may be obligated or expended until the Secretary of Defense, acting through the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Commander of the United States Special Operations Command, submits to the congressional defense committees a validated manpower study for such center that includes the following:

(1) Validated estimates of the number of personnel from the United States Special Operations Command and the other combatant commands that will be housed in leased facilities of such center.

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

SEC. 355. MODIFICATIONS TO THE CONTESTED LOGISTICS WORKING GROUP OF THE DEPARTMENT OF DEFENSE.

(a) EXPANSION OF WORKING GROUP.—
(1) IN GENERAL.—Paragraph (3) of section 2926(d) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) A representative appointed by the Secretary of Defense from each of the following:

“(i) The Defense Logistics Agency.
“(ii) The Strategic Capabilities Office.
“(iv) The Office of the Under Secretary of Defense for Research and Engineering.”.

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

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

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

(e) REPORTS.—Such section is further amended by adding at the end the following new paragraph:
“(7) Not later than February 1 of each year, the working group under paragraph (1) shall submit to the congressional defense committees a report that contains a description of any shortfalls in personnel, equipment, infrastructure, energy and storage, or capabilities required to support the operational plans of the Department of Defense.”.

SEC. 356. ESTABLISHMENT OF CAISSON PLATOON TO SUPPORT MILITARY AND STATE FUNERAL SERVICES.

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

(b) PROHIBITION ON ELIMINATION.—The Secretary of the Army may not eliminate the Caisson Platoon of the 3rd Infantry Regiment of the Army established under subsection (a).

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter until March 31, 2027, the Secretary of the Army shall provide to the congressional defense committees a
briefing on the health, welfare, and sustainment of military working equids.

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

(A) An assessment of the ability of the Caisson Platoon of the 3rd Infantry Regiment of the Army to support military funeral operations within Arlington National Cemetery, including milestones associated with achieving full operational capability for the Caisson Platoon.

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

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

SEC. 357. LIMITATION ON AVAILABILITY OF FUNDS PENDING 30-YEAR SHIPBUILDING PLAN THAT MAINTAINS 31 AMPHIBIOUS WARSHIPS FOR THE DEPARTMENT OF THE NAVY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for Administration and Servicewide Activi-
ties, Operation and Maintenance, Navy, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Navy submits to the congressional defense committees a 30-year shipbuilding plan that meets the statutory requirement in section 8062(b) of title 10, United States Code, to maintain 31 amphibious warships.

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

SEC. 358. MODIFICATION OF RULE OF CONSTRUCTION REGARDING PROVISION OF SUPPORT AND SERVICES TO NON-DEPARTMENT OF DEFENSE ORGANIZATIONS AND ACTIVITIES.

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

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

(2) in the matter preceding subparagraph (A), as redesignated by paragraph (1), by striking
“Nothing in this section” and inserting “(1) Nothing in this section”; (3) in subparagraph (A), as so redesignated, by inserting “, except as provided in paragraph (2),” before “for response”; and (4) by adding at the end the following new paragraph: “(2) Funds available to the Secretary of a military department for operation and maintenance for the Innovative Readiness Training program may be expended under this section, upon approval by the Secretary concerned, to assist in demolition, clearing of roads, infrastructure improvements, and construction to restore an area after a natural disaster.”.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS
Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

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

(1) The Army, 452,000.
(2) The Navy, 342,000.
(3) The Marine Corps, 172,300.
(4) The Air Force, 320,000.
(5) The Space Force, 9,400.
SEC. 402. END STRENGTH LEVEL MATTERS.

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

(1) in subsection (f)(2), by striking “not more than 2 percent” and inserting “not more than 3 percent”; and

(2) in subsection (g)(1), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) vary the end strength pursuant to subsection (a)(1)(A) for a fiscal year for the armed force or forces under the jurisdiction of that Secretary by a number not equal to more than 2 percent of such authorized end strength;

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

“(C) vary the end strength pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force or forces under the jurisdiction of that Secretary by a number equal to not more
than 2 percent of such authorized end
strength.”.

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

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

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) In General.—The Armed Forces are authorized
strengths for Selected Reserve personnel of the reserve
components as of September 30, 2024, as follows:

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

(2) The Army Reserve, 174,800.

(3) The Navy Reserve, 57,200.

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

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

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

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

(b) End Strength Reductions.—The end
strengths prescribed by subsection (a) for the Selected Re-
serve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

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

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

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

(1) The Army National Guard of the United
States, 30,845.
(2) The Army Reserve, 16,511.
(3) The Navy Reserve, 10,327.
(5) The Air National Guard of the United
States, 25,333.
(6) The Air Force Reserve, 6,003.

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

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

(1) For the Army National Guard of the United
States, 22,294.
(2) For the Army Reserve, 7,990.
(3) For the Air National Guard of the United
States, 10,994.
(4) For the Air Force Reserve, 7,111.
(b) LIMITATION ON NUMBER OF TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).—The number of temporary military technicians (dual status) employed under the authority of subsection (a) may not exceed 25 percent of the total authorized number specified in such subsection.

(c) LIMITATION.—Under no circumstances may a military technician (dual status) employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual’s position.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

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

(1) The Army National Guard of the United States, 17,000.
(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

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

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

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) Construction of Authorization.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2024.
TITLE V—MILITARY PERSONNEL POLICY
Subtitle A—Officer Personnel Policy

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

(a) Repeal of Obsolete Authority; Redesignation.—Chapter 32 of title 10, United States Code, is amended—

(1) by repealing section 526;

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

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

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

(b) Increased Authorized Strength.—Section 526 of title 10, United States Code, as redesignated and amended by subsection (a), is further amended—

(1) in subsection (a)—

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

(B) in paragraph (1), by striking “218” and inserting “219”;
(C) in paragraph (2), by striking “149” and inserting “150”; 
(D) in paragraph (3), by striking “170” and inserting “171”; and 
(E) in paragraph (4), by striking “62” and inserting “64”; and 
(2) by redesignating the second subsection designated as subsection (i) as subsection (j).

(e) **Repeal of Exclusion of Officers Serving as Lead Special Trial Counsel from Limitations on Authorized Strengths.**—Section 506 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 is hereby repealed.

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

(a) **Officers on Active-duty List.—**

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

“(B) shall not be forwarded for appointment or nomination to the Secretary of Defense, the President, or the Senate, as applicable.”.

(b) **Officers on Reserve Active-status List.—**

Section 14502a(a)(2)(B) of title 10, United States Code, is amended to read as follows:
“(B) shall not be forwarded for appointment or nomination to the Secretary of Defense, the President, or the Senate, as applicable.”.

SEC. 503. EXCLUSION OF OFFICERS WHO ARE LICENSED BEHAVIORAL HEALTH PROVIDERS FROM LIMITATIONS ON ACTIVE DUTY COMMISSIONED OFFICER END STRENGTHS.

Section 523(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(10) Officers who are licensed behavioral health providers, including clinical psychologists, social workers, and mental health nurse practitioners.”.

SEC. 504. UPDATING AUTHORITY TO AUTHORIZE PROMOTION TRANSFERS BETWEEN COMPONENTS OF THE SAME SERVICE OR A DIFFERENT SERVICE.

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

“(g) Notwithstanding subsection (d), and subject to regulations prescribed by the Secretary of Defense, in the
case of a warrant officer who is selected for promotion by a selection board convened under this chapter, and prior to the placement of the warrant officer’s name on the applicable promotion list is approved for transfer to a new component within the same or a different uniformed service, the Secretary concerned may place the warrant officer’s name on a corresponding promotion list of the new component without regard to the warrant officer’s competitive category. A warrant officer’s promotion under this subsection shall be made pursuant to section 12242 of this title.”.

(b) Officers Transferred to Reserve Active Status List.—

(1) In general.—Section 624 of such title is amended by adding at the end the following new subsections:

“(e) Notwithstanding subsection (a)(2), in the case of an officer who is selected for promotion by a selection board convened under this chapter, and prior to the placement of the officer’s name on the applicable promotion list is approved for transfer to the reserve active status list of the same or a different uniformed service, the Secretary concerned may place the officer’s name on a corresponding promotion list on the reserve active-status list without regard to the officer’s competitive category. An
1 officer’s promotion under this subsection shall be made
pursuant to section 14308 of this title.

“(f) Notwithstanding subsection (a)(3), in the case
of an officer who is placed on an all-fully-qualified-officers
list, and is subsequently approved for transfer to the re-
serve active status list, the Secretary concerned may place
the officer’s name on an appropriate all-fully-qualified-of-
ficers list on the reserve active status list. An officer’s pro-
motion under this subsection shall be made pursuant to
section 14308 of this title.”.

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

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

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

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

SEC. 505. EFFECT OF FAILURE OF SELECTION FOR PRO-
MOTION.

(a) Effect of Failure of Selection for Pro-
motion: Captains and Majors of the Army, Air
Force, Marine Corps, and Space Force and Lieu-
TENANTS AND LIEUTENANT COMMANDERS OF THE NAVY.—

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

(A) in the section heading, by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”;

(B) in subsection (a)(1), by striking “President approves the report of the board which considered him for the second time” and inserting “Secretary concerned releases the promotion results of the board which considered the officer for the second time to the public”.

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


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

SEC. 506. PERMANENT AUTHORITY TO ORDER RETIRED
MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY APPOINTMENTS.

(a) In general.—Section 688a of title 10, United States Code, is amended—

(1) in the section heading, by striking ‘‘Retired aviators: temporary authority’’ and inserting ‘‘Authority’’;

(2) by striking subsection (f);

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

(4) in subsection (f), as redesignated by paragraph (3), by striking ‘‘limitations in subsections (c) and (f)’’ and inserting ‘‘limitation in subsection (c)’’.

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

‘‘688a. Authority to order to active duty in high-demand, low-density assignments.’’.
SEC. 507. WAIVER AUTHORITY EXPANSION FOR THE EXTENSION OF SERVICE OBLIGATION FOR MARINE CORPS CYBERSPACE OPERATIONS OFFICERS.

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

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

(2) in paragraph (2)—

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

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

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

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

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

(1) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by inserting after section 653 the new following section:
§ 654. Minimum service requirement for certain cyberspace occupational specialties

“(a) CYBERSPACE OPERATIONS OFFICER.—The minimum service obligation for any member who successfully completes training in the armed forces in direct accession to the cyberspace operations officer occupational specialty of the Marine Corps shall be 8 years.

“(b) SERVICE OBLIGATION DEFINED.—In this section, the term ‘service obligation’ means the period of active duty or, in the case of a member of a reserve component who completed cyberspace operations training in an active duty for training status as a member of a reserve component, the period of service in an active status in the Selected Reserve, required to be served after completion of cyberspace operations training.”.

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

“654. Minimum service requirement for certain cyberspace occupational specialties.”.

SEC. 508. REMOVAL OF ACTIVE DUTY PROHIBITION FOR MEMBERS OF THE AIR FORCE RESERVE POLICY COMMITTEE.

Section 10305 of title 10, United States Code, is amended__
(1) in subsection (b), by striking “not on active
duty” both places it appears; and
(2) in subsection (c)—
(A) by inserting “of the reserve compo-
nents” after “among the members”; and
(B) by striking “not on active duty”.

SEC. 509. EXTENSION OF AUTHORITY TO VARY NUMBER OF
SPACE FORCE OFFICERS CONSIDERED FOR
PROMOTION TO MAJOR GENERAL.
Subsection (b) of section 503 of the National Defense
Authorization Act for Fiscal Year 2022 (Public Law 117–
81; 135 Stat. 1680) is amended by striking “shall termi-
nate on December 31, 2022” and inserting “shall termi-
nate on December 31, 2024”.

SEC. 510. REALIGNMENT OF NAVY SPOT-PROMOTION
QUOTAS.
Section 605(g)(4)(B) of title 10, United States Code,
is amended by striking “325” and inserting “425”.

SEC. 511. MODIFICATION OF LIMITATION ON PROMOTION
SELECTION BOARD RATES.
Section 616 of title 10, United States Code, is
amended—
(1) in subsection (d)—
(A) by striking “The number” and inserting “(1) Except as provided in paragraph (2), the number”; and

(B) by adding at the end the following new paragraph:

“(2) If a promotion zone established under section 623 of this title includes less than 50 officers and is established with respect to promotions to a grade below the grade of colonel or Navy captain, the Secretary concerned may authorize selection boards convened under section 611(a) of this title to recommend for promotion a number equal to not more than 100 percent of the number of officers included in such promotion zone.”; and

(2) in subsection (e), by striking “unless he” and inserting “unless the officer”.

SEC. 512. TIME IN GRADE REQUIREMENTS.

Section 1305 of title 10, United States Code, is amended—

(1) in subsection (a)(3), by inserting “or a Marine Corps Marine Gunner warrant officer in such grade,” after “chief warrant officer, W–5,”;

(2) in subsection (b), by striking “when he” and inserting “when the warrant officer”; and

(3) in subsection (c)—
(A) by striking “as he” and inserting “as the Secretary concerned”; and

(B) by striking “after he” and inserting “after the warrant officer”.

SEC. 513. FLEXIBILITY IN DETERMINING TERMS OF APPOINTMENT FOR CERTAIN SENIOR OFFICER POSITIONS.

(a) IN GENERAL.—Chapter 35 of title 10, United States Code, is amended by inserting after section 601 the following new section:

“§ 602. Flexibility in determining terms of appointment for certain senior officer positions

“The Secretary of Defense may extend or reduce the duration of an appointment made under section 152, 154, 7033, 8033, 8043, 9033, and 9082 of this title by up to six months if the Secretary determines that such an extension or reduction is necessary either in the interests of national defense, or to ensure an appropriate staggering of terms of senior military leadership.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of title 10, United States Code, is amended by inserting after the item relating to section 601 the following new item:

“602. Flexibility in determining terms of appointment for certain senior officer positions.”.
Subtitle B—Reserve Component Management

SEC. 521. ALTERNATIVE PROMOTION AUTHORITY FOR RESERVE OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES.

(a) In General.—Part III of subtitle E of title 10, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 1413—ALTERNATIVE PROMOTION AUTHORITY FOR OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES"

"§15101. Officers in designated competitive categories

(a) Authority to Designate Competitive Categories of Officers.—Each Secretary of a military department may designate one or more competitive categories for promotion of officers under section 14005 of this title that are under the jurisdiction of such Secretary as a competitive category of officers whose promotion, re-
1 retirement, and continuation on the reserve active-status list
2 shall be subject to the provisions of this chapter.

“(b) LIMITATION ON EXERCISE OF AUTHORITY.—
4 The Secretary of a military department may not designate
5 a competitive category of officers for purposes of this
6 chapter until 60 days after the date on which the Sec-
7 retary submits to the Committees on Armed Services of
8 the Senate and the House of Representatives a report on
9 the designation of the competitive category. The report on
10 the designation of a competitive category shall set forth
11 the following:

“(1) A detailed description of officer require-
13 ments for officers within the competitive category.

“(2) An explanation of the number of opportu-
15 nities for consideration for promotion to each par-
16 ticular grade, and an estimate of promotion timing,
17 within the competitive category.

“(3) An estimate of the size of the promotion
19 zone for each grade within the competitive category.

“(4) A description of any other matters the
21 Secretary considered in determining to designate the
22 competitive category for purposes of this chapter.

“§ 15102. Selection for promotion
24 “(a) IN GENERAL.—Except as provided in this sec-
25 tion, the selection for promotion of officers in any competi-
"(b) No Recommendation for Promotion of Officers Below Promotion Zone.—Section 14301(d) of this title shall not apply to the selection for promotion of officers described in subsection (a).

"(c) Recommendation for Officers to Be Excluded From Future Consideration for Promotion.—In making recommendations pursuant to chapter 1403 of this title for purposes of the administration of this chapter, a selection board convened under section 14101(a) of this title may recommend that an officer considered by the board be excluded from future consideration for promotion under this chapter.

§15103. Eligibility for consideration for promotion

“(a) In General.—Except as provided by this section, eligibility for promotion of officers in any competitive category of officers designated for purposes of this chapter shall be governed by the provisions of sections 14301, 14303, and 14304 of this title.

“(b) Inapplicability of Certain Time-in-grade Requirements.—Sections 14303 and 14304 of this title shall not apply to the promotion of officers described in subsection (a).
“(c) Inapplicability to Officers Above and Below Promotion Zone.—The following provisions of this title shall not apply to the promotion of officers described in subsection (a):

“(1) The reference in section 14301(b) to an officer above the promotion zone.

“(2) Section 14301(d).

“(d) Ineligibility of Certain Officers.—The following officers are not eligible for promotion under this chapter:

“(1) An officer described in section 14301(c) of this title.

“(2) An officer not included within the promotion zone.

“(3) An officer who has failed of promotion to a higher grade the maximum number of times specified for opportunities for promotion for such grade within the competitive category concerned pursuant to section 15104 of this title.

“(4) An officer recommended by a selection board to be removed from consideration for promotion in accordance with section 15102(c) of this title.
§ 15104. Opportunities for consideration for promotion

“(a) Specification of Number of Opportunities for Consideration for Promotion.—In designating a competitive category of officers pursuant to section 15101 of this title, the Secretary of a military department shall specify the number of opportunities for consideration for promotion to be afforded officers of the armed force concerned within the category for promotion to each grade above the grade of first lieutenant or lieutenant (junior grade), as applicable.

“(b) Limited Authority of Secretary of Military Department to Modify Number of Opportunities.—The Secretary of a military department may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified by the Secretary pursuant subsection (a) of this subsection, not more frequently than once every five years.

“(c) Discretionary Authority of Secretary of Defense to Modify Number of Opportunities.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified
or modified pursuant to any provision of this section, at the discretion of the Secretary.

“(d) Limitation on Number of Opportunities Specified.—The number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as specified or modified pursuant to any provision of this section, may not exceed five opportunities.

“(e) Effect of Certain Reduction in Number of Opportunities Specified.—If, by reason of a reduction in the number of opportunities for consideration for promotion under this section, an officer would no longer have one or more opportunities for consideration for promotion that were available to the officer before the reduction, the officer shall be afforded one additional opportunity for consideration for promotion after the reduction.

“§ 15105. Promotions

“Sections 14307 through 14317 of this title shall apply in promotions of officers in competitive categories of officers designated for purposes of this chapter.

“§ 15106. Failure of selection for promotion

“(a) In General.—Except as provided in this section, sections 14501 through 14513 of this title shall apply
to promotions of officers in competitive categories of officers designated for purposes of this chapter.

“(b) **Inapplicability of Failure of Selection for Promotion to Officers Above Promotion Zone.**—The reference in section 14501 of this title to an officer above the promotion zone shall not apply in the promotion of officers described in subsection (a).

“(c) **Special Selection Board Matters.**—The reference in section 14502(a)(1) of this title to a person above the promotion zone shall not apply in the promotion of officers described in subsection (a).

“(d) **Effect of Failure of Selection.**—In the administration of this chapter pursuant to subsection (a)—

“(1) an officer described in subsection (a) shall not be deemed to have failed twice of selection for promotion for purposes of section 14502(b) of this title until the officer has failed selection of promotion to the next higher grade the maximum number of times specified for opportunities for promotion to such grade within the competitive category concerned pursuant to section 15104 of this title; and

“(2) any reference in sections 14504 through 14506 of this title to an officer who has failed of se-
lection for promotion to the next higher grade for
the second time shall be deemed to refer instead to
an officer described in subsection (a) who has failed
of selection for promotion to the next higher grade
for the maximum number of times specified for op-
portunities for promotion to such grade within the
competitive category concerned pursuant to such
section 15104.

§ 15107. Retirement: retirement for years of service;
selective early retirement

“(a) Retirement for Years of Service.—Sec-
tions 14507 through 14515 of this title shall apply to the
retirement of officers in competitive categories of officers
designated for purposes of this chapter.

“(b) Selective Early Retirement.—Section
14101(b) of this title shall apply to the retirement of offi-
cers described in subsection (a).

§ 15108. Continuation on the Reserve Active-Status
List

“Sections 14701 through 14703 of this title shall
apply in continuation or retention on a reserve active-sta-
tus list of officers designated for purposes of this chapter.
§ 15109. Other administrative authorities

(a) In General.—The following provisions of this title shall apply to officers in competitive categories of officers designated for purposes of this chapter:

“(1) Section 14518, relating to continuation of officers to complete disciplinary action.

“(2) Section 14519, relating to deferment of retirement or separation for medical reasons.

“(3) Section 14704, relating to the selective early removal from the reserve active-status list.

“(4) Section 14705, relating to the selective early retirement of reserve general and flag officers of the Navy and Marine Corps.

§ 15110. Regulations

“The Secretary of Defense shall prescribe regulations regarding the administration of this chapter. The elements of such regulations shall include mechanisms to clarify the manner in which provisions of other chapters of this part of the title shall be used in the administration of this chapter in accordance with the provisions of this chapter.”.

(b) Table of Chapters Amendment.—The table of chapters at the beginning of part III of subtitle E of title 10, United States Code, is amended by adding at the end the following new item:

“1413. Alternative promotion authority for officers in designated competitive categories ............................................. 15101”.
SEC. 522. SELECTED RESERVE AND READY RESERVE ORDER TO ACTIVE DUTY TO RESPOND TO A SIGNIFICANT CYBER INCIDENT.

Section 12304 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “for any named operational mission”;

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), respectively;

(3) by inserting after subsection (b) the following new subsection:

“(e) SIGNIFICANT CYBER INCIDENTS.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating may, without the consent of the member affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve or Individual Ready Reserve to active duty for a continuous period of not more than 365 days when the Secretary of Defense or, with respect to the Coast Guard, the Secretary of the Department in which the Coast Guard is operating determines it is necessary to augment the active forces for the respective responses from the Department of Defense or the Department of Homeland Security to a covered incident.”;
(4) in paragraph (1) of subsection (d), as redesignated by paragraph (2) of this section, by inserting “or subsection (c)” after “subsection (b)”;  

(5) in subsection (h) (as so redesignated)—

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

(B) by striking “Whenever any” and inserting “(1) Whenever any”; and  

(C) by adding at the end the following new paragraph:

“(2) Whenever any unit of the Selected Reserve or any member of the Selected Reserve not assigned to a unit organized to serve as a unit, or any member of the Individual Ready Reserve, is ordered to active duty under authority of subsection (c), the service of all units or members so ordered to active duty may be terminated by—

“(A) order of the Secretary of Defense or the Secretary of the Department in which the Coast Guard is operating; or

“(B) law.”; and

(6) in subsection (k) (as so redesignated)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following new paragraph:
“(2) The term ‘covered incident’ means—

“(A) a cyber incident involving a Department of Defense information system, or a breach of a Department of Defense system that involves personally identifiable information, that the Secretary of Defense determines is likely to result in demonstrable harm to the national security interests, foreign relations, or the economy of the United States, or to the public confidence, civil liberties, or public health and safety of the people of the United States;

“(B) a cyber incident involving a Department of Homeland Security information system or a breach of a Department of Homeland Security system that involves personally identifiable information that the Secretary of Homeland Security determines is likely to result in demonstrable harm to the national security interests, foreign relations, or the economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States;

“(C) a cyber incident or collection of related cyber incidents that the President determines is likely to result in demonstrable harm
to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States; or

“(D) a significant incident declared pursuant to section 2233 of the Homeland Security Act of 2002 (6 U.S.C. 677b).”.

SEC. 523. MOBILIZATION OF SELECTED RESERVE FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

Section 12304b(b)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking “Units” and inserting “(A) Except as provided under subparagraph (B), units”; and

(3) by adding at the end the following new subparagraph:

“(B) In the event the President’s budget is delivered later than April 1st in the year prior to the year of the mobilization of one or more units under this section, the Secretary concerned may submit to
Congress the information required under subparagraph (A) in a separate notice.”

SEC. 524. ALTERNATING SELECTION OF OFFICERS OF THE NATIONAL GUARD AND THE RESERVES AS DEPUTY COMMANDERS OF CERTAIN CONTINGENT COMMANDS.

Section 164(e)(4) of title 10, United States Code, is amended—

(1) by inserting “(A)” before “At least one deputy commander”; and

(2) by adding at the end the following new subparagraphs:

“(B) In carrying out the requirement in subparagraph (A) pertaining to the selection of an officer of the reserve component, the Secretary of Defense shall alternate between selecting an officer of the National Guard and an officer of the Reserves no less frequently than every two terms.

“(C) The Secretary of Defense may waive the requirement under subparagraph (B) regarding the alternating selection of reserve component officers if the Secretary of Defense determines that such action is in the national interest.”.
SEC. 525. GRADE OF VICE CHIEF OF THE NATIONAL GUARD BUREAU.

Section 10505 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) GRADE AND EXCLUSION FROM GENERAL AND FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Vice Chief of the National Guard Bureau shall be appointed to serve in the grade of general.

“(2) The Secretary of Defense shall designate, pursuant to subsection (b) of section 526a of this title, the position of Vice Chief of the National Guard Bureau as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.”.

Subtitle C—General Service

Authorities and Military Records

SEC. 531. MODIFICATION OF LIMITATION ON ENLISTMENT AND INDUCTION OF PERSONS WHOSE SCORE ON THE ARMED FORCES QUALIFICATION TEST IS BELOW A PRESCRIBED LEVEL.

Section 520(a) of title 10, United States Code, is amended—

(1) by striking “The number of persons” and inserting “(1) The number of persons”;
(2) by striking “may not exceed 20 percent” and inserting “may not exceed 4 percent”; and
(3) by adding at the end the following new paragraph:
“(2) Upon the request of the Secretary concerned, the Secretary of Defense may authorize an armed force to increase the limitation specified in paragraph (1) to not exceed 20 percent of the total number of persons originally enlisted or inducted to serve on active duty (other than active duty for training) in such armed forced during such fiscal year. The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 30 days after using such authority.”.

SEC. 532. NON-MEDICAL COUNSELING SERVICES FOR MILITARY FAMILIES.

Section 1781 of title 10, United States Code, is amended by adding at the end the following new subsection:
“(d) NON-MEDICAL COUNSELING SERVICES.—(1) In carrying out its duties under subsection (b), the Office may coordinate programs and activities to provide non-medical counseling services to military families through the Department of Defense Military and Family Life Counseling Program.
“(2) A mental health care professional described in paragraph (3) may provide non-medical counseling services at any location in a State, the District of Columbia, or a territory or possession of the United States, without regard to where the professional or recipient of such services is located or delivery of such services is provided (including face-to-face and telehealth), if the provision of such services is within the scope of the authorized Federal duties of the professional.

“(3) A non-medical mental health professional described in this subsection is a person who is—

“(A) a currently licensed mental health care provider who holds a license that is—

“(i) issued by a State, the District of Columbia, or a territory or possession of the United States; and

“(ii) recognized by the Secretary of Defense as an appropriate license for the provision of non-medical counseling services;

“(B) a member of the armed forces, a civilian employee of the Department of Defense, or a contractor designated by the Secretary; and

“(C) performing authorized duties for the Department of Defense under a program or activity referred to in paragraph (1).
“(4) The authority under this subsection shall terminate three years after the date of the enactment of this subsection.

“(5) In this subsection, the term ‘non-medical counseling services’ means mental health care services that are non-clinical, short-term and solution focused, and address topics related to personal growth, development, and positive functioning.”.

SEC. 533. PRIMACY OF NEEDS OF THE SERVICE IN DETERMINING INDIVIDUAL DUTY ASSIGNMENTS.

(a) In General.—Chapter 39 of title 10, United States Code, is amended by inserting after section 674 the following new section:

“§ 675. Primacy of needs of the service in determining individual duty assignments

“(a) In General.—The Secretaries of the military departments shall make duty assignments of individual members based on the needs of the military services.

“(b) Assignments Based on Service Needs.—A servicemember's opinion on State laws shall not take precedence over the needs of the military services in determining individual duty assignments.

“(c) Rule of Construction.—Nothing in this section shall be construed as prohibiting the Secretaries of the military departments from considering the general
preferences of members of the armed forces in making determinations about individual duty assignments.”

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 674 the following new item:

“675. Primacy of needs of the service in determining individual duty assignments.”

SEC. 534. REQUIREMENT TO USE QUALIFICATIONS, PERFORMANCE, AND MERIT AS BASIS FOR PROMOTIONS, ASSIGNMENTS, AND OTHER PERSONNEL ACTIONS.

The Secretary of Defense shall ensure that all promotions, assignments, and other personnel actions of the Armed Forces are based primarily on qualifications, performance, and merit.

SEC. 535. REQUIREMENT TO BASE TREATMENT IN THE MILITARY ON MERIT AND PERFORMANCE.

(a) Findings.—Congress makes the following findings:

(1) The United States Armed Forces is the greatest civil rights program in the history of the world.

(2) Former Chairman of the Joint Chiefs General Colin Powell wrote that “the military [has]
given African-Americans more equal opportunity
than any other institution in American society”.

(3) Today’s Armed Forces is the most diverse
large public institution in the country, and brings to-
gether Americans from every background in the
service of defending the country.

(4) Military readiness depends on the guarantee
of equal opportunity, without the promise of an
equal outcome, because warfare is a competitive en-
deavor and the nation’s enemies must know that the
United States Armed Forces is led by the best,
brightest, and bravest Americans.

(5) The tenets of critical race theory are anti-
thetic to the merit-based, all-volunteer, military
that has served the country with great distinction
for the last 50 years.

(b) DEFINITION OF EQUITY.—For the purposes of
any Department of Defense Diversity, Equity, and Inclu-
sion directive, program, policy, or instruction, the term
“equity” is defined as “the right of all persons to have
the opportunity to participate in, and benefit from, pro-
grams, and activities for which they are qualified”.

(e) PROHIBITIONS.—

(1) DIRECTIVES.—The Department of Defense
shall not direct or otherwise compel any member of
the Armed Forces, military dependent, or civilian employee of the Department of Defense to personally affirm, adopt, or adhere to the tenet that any sex, race, ethnicity, religion or national origin is inherently superior or inferior.

(2) **Training and Instruction.**—No organization or institution under the authority of the Secretary of Defense may provide courses, training, or any other type of instruction that directs, compels, or otherwise suggests that members of the Armed Forces, military dependents, or civilian employees of the Department of Defense should affirm, adopt, or adhere to the tenet described in paragraph (1).

(3) **Distinctions and Classifications.**—

(A) **In General.**—No organization or institution under the authority of the Secretary of Defense shall make a distinction or classification of members of the Armed Forces, military dependents, or civilian employees of the Department of Defense based on account of race, ethnicity, or national origin.

(B) **Rule of Construction.**—Nothing in this paragraph shall be construed to prohibit the required collection or reporting of demo-
graphic information by the Department of Defense.

(d) Merit Requirement.—All Department of Defense personnel actions, including accessions, promotions, assignments and training, shall be based exclusively on individual merit and demonstrated performance.

SEC. 536. TIGER TEAM FOR OUTREACH TO FORMER MEMBERS.

(a) Establishment of Tiger Team.—

(1) In general.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a team (commonly known as a “tiger team” and referred to in this section as the “Tiger Team”) responsible for conducting outreach to build awareness among former members of the Armed Forces of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1552 note) for the review of discharge characterizations by appropriate discharge boards. The Tiger Team shall consist of appropriate personnel of the Department of Defense assigned to the Tiger Team by the Secretary for purposes of this section.
(2) TIGER TEAM LEADER.—One of the persons assigned to the Tiger Team under paragraph (1) shall be a senior-level officer or employee of the Department who shall serve as the lead official of the Tiger Team (in this section referred to as the “Tiger Team Leader”) and who shall be accountable for the activities of the Tiger Team under this section.

(3) REPORT ON COMPOSITION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report setting forth the names of the personnel of the Department assigned to the Tiger Team pursuant to this subsection, including the positions to which assigned. The report shall specify the name of the individual assigned as Tiger Team Leader.

(b) DUTIES.—

(1) IN GENERAL.—The Tiger Team shall conduct outreach to build awareness among veterans of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations by appropriate discharge boards.

(2) COLLABORATION.—In conducting activities under this subsection, the Tiger Team Leader shall identify appropriate external stakeholders with
whom the Tiger Team shall work to carry out such
activities. Such stakeholders shall include representa-
tives of veterans service organizations and such
other stakeholders as the Tiger Team Leader con-
siders appropriate.

(3) INITIAL REPORT.—Not later than 210 days
after the date of the enactment of this Act, the Sec-
retary of Defense shall submit to Congress the fol-
lowing:

(A) A plan setting forth the following:

   (i) A description of the manner in
   which the Secretary, working through the
   Tiger Team and in collaboration with ex-
   ternal stakeholders described in paragraph
   (2), shall identify individuals who meet the
   criteria in section 527(b) of the National
   Defense Authorization Act for Fiscal Year
   2020 for review of discharge characteriza-

   (ii) A description of the manner in
   which the Secretary, working through the
   Tiger Team and in collaboration with the
   external stakeholders, shall improve out-
   reach to individuals who meet the criteria
   in section 527(b) of the National Defense
Authorization Act for Fiscal Year 2020 for review of discharge characterization, including through—

(I) obtaining contact information on such individuals; and

(II) contacting such individuals on the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations.

(B) A description of the manner in which the work described in clauses (i) and (ii) of subparagraph (A) will be carried out, including an allocation of the work among the Tiger Team and the external stakeholders.

(C) A schedule for the implementation, carrying out, and completion of the plan required under subparagraph (A).

(D) A description of the additional funding, personnel, or other resources of the Department required to carry out the plan required under subparagraph (A), including any modification of applicable statutory or administrative authorities.
(4) IMPLEMENTATION OF PLAN.—

(A) IN GENERAL.—The Secretary shall implement and carry out the plan submitted under subparagraph (A) of paragraph (3) in accordance with the schedule submitted under subparagraph (C) of that paragraph.

(B) UPDATES.—Not less frequently than once every 90 days after the submittal of the report under paragraph (3), the Tiger Team shall submit to Congress an update on the carrying out of the plan submitted under subparagraph (A) of that paragraph.

(5) FINAL REPORT.—Not later than 3 years after the date of the enactment of this Act, the Tiger Team shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the activities of the Tiger Team under this subsection. The report shall set forth the following:

(A) The number of individuals discharged under Don’t Ask, Don’t Tell or a similar policy prior to the enactment of Don’t Ask, Don’t Tell.

(B) The number of individuals described in subparagraph (A) who availed themselves of a
review of discharge characterization (whether through discharge review or correction of military records) through a process established prior to the enactment of this Act.

(C) The number of individuals contacted through outreach conducted pursuant to this section.

(D) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization through the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(E) The number of individuals described in subparagraph (D) whose review of discharge characterization resulted in a change of characterization to honorable discharge.

(F) The total number of individuals described in subparagraph (A), including individuals also covered by subparagraph (E), whose review of discharge characterization since September 20, 2011 (the date of repeal of Don’t Ask, Don’t Tell), resulted in a change of characterization to honorable discharge.
(6) TERMINATION.—On the date that is 60 days after the date on which the final report required by paragraph (5) is submitted, the Secretary shall terminate the Tiger Team.

(c) ADDITIONAL REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(d) DON’T ASK, DON’T TELL DEFINED.—In this section, the term “Don’t Ask, Don’t Tell” means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don’t Ask, Don’t Tell Repeal Act of 2010 (Public Law 111–321).

SEC. 537. DIVERSITY, EQUITY, AND INCLUSION PERSONNEL GRADE CAP.

(a) IN GENERAL.—The Secretary concerned may not appoint to, or otherwise employ in, any position with sole
duties as described in subsection (b) a military or civilian employee paid annual pay at a rate that exceeds the equivalent of the rate payable for GS–10, not adjusted for locality.

(b) COVERED DUTIES.—The duties referred to in subsection (a) are as follows:

(1) Developing, refining, and implementing diversity, equity, and inclusion policy.

(2) Leading working groups and councils to developing diversity, equity, and inclusion goals and objectives to measure performance and outcomes.

(3) Creating and implementing diversity, equity, and inclusion education, training courses, and workshops for military and civilian personnel.

(c) APPLICABILITY TO CURRENT EMPLOYEES.—Any military or civilian employee appointed to a position with duties described in subsection (b) who is paid annual pay at a rate that exceeds the amount allowed under subsection (a) shall be reassigned to another position not later than 180 days after the date of the enactment of this Act.
Subtitle D—Military Justice and Other Legal Matters

SEC. 541. ESTABLISHMENT OF STAGGERED TERMS FOR MEMBERS OF THE MILITARY JUSTICE REVIEW PANEL.

(a) Appointment to Staggered Terms.—Subsection (b) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

“(4) Establishment of staggered terms.—Notwithstanding subsection (c), members of the Panel appointed to serve on the Panel to fill vacancies that exist due to terms of appointment expiring during the period beginning on August 1, 2030, and ending on August 31, 2030, shall be appointed to terms as follows:

“(A) Three members designated by the Secretary of Defense shall serve a term of two years.

“(B) Three members designated by the Secretary of Defense shall serve a term of four years.
“(C) Three members designated by the Secretary of Defense shall serve a term of six years.

“(D) Four members designated by the Secretary of Defense shall serve a term of eight years.”.

(b) TERM; VACANCIES.—Subsection (e) of such section is amended to read as follows:

“(e) TERM; VACANCIES.—

“(1) TERM.—Subject to subsection (b)(4) and paragraphs (2) and (3) of this subsection, each member shall be appointed for a term of eight years, and no member may serve more than one term.

“(2) VACANCY.—Any vacancy in the Panel shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy in the Panel that occurs before the expiration of the term of appointment of the predecessor of such member shall be appointed for the remainder of the term of such predecessor.

“(3) AVAILABILITY OF REAPPOINTMENT FOR CERTAIN MEMBERS.—Notwithstanding paragraph (1), a member of the Panel may be appointed to a single additional term if—
“(A) the appointment of the member is to fill a vacancy described in subsection (b)(4); or

“(B) the member was initially appointed to—

“(i) a term of four years or less in accordance with subsection (b)(4); or

“(ii) fill a vacancy that occurs before the expiration of the term of the predecessor of such member and for which the remainder of the term of such predecessor is four years or less.”.

SEC. 542. TECHNICAL AND CONFORMING AMENDMENTS TO THE UNIFORM CODE OF MILITARY JUSTICE.

(a) Technical Amendment Relating to Guilty Pleas for Murder.—Section 918 of title 10, United States Code (article 118 of the Uniform Code of Military Justice), is amended—

(1) by striking “he” both places it appears and inserting “such person”; and

(2) in the matter following paragraph (4), by striking the period and inserting “, unless such person is otherwise sentenced in accordance with a plea agreement entered into between the parties under section 853a (article 53a).”.
(b) Technical Amendments Relating to the Military Justice Reforms in the National Defense Authorization Act for Fiscal Year 2022.—

(1) Article 16.—Subsection (c)(2)(A) of section 816 of title 10, United States Code (article 16 of the Uniform Code of Military Justice), is amended by striking “by the convening authority”.

(2) Article 25.—Section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), is amended—

(A) in subsection (d)—

(i) in paragraph (1), by striking “may, after the findings are announced and before any matter is presented in the sentencing phase, request, orally on the record or in writing, sentencing by the members” and inserting “shall be sentenced by the military judge”; and

(ii) by amending paragraph (2) to read as follows:

“(2) In a capital case, if the accused is convicted of an offense for which the court-martial may sentence the accused to death, the accused shall be sentenced in accordance with section 853(c) of this title (article 53(c)).”;
(B) in subsection (e)—

(i) in paragraph (1), by striking “him” and inserting “the member being tried”; and

(ii) in paragraph (2)—

(I) in the first sentence, by striking “his opinion” and inserting “the opinion of the convening authority”; and

(II) in the second sentence, by striking “he” and inserting “the member”; and

(C) in subsection (f)—

(i) by striking “his authority” and inserting “the authority of the convening authority”; and

(ii) by striking “his staff judge advocate or legal officer” and inserting “the staff judge advocate or legal officer of the convening authority”.

(c) Authority of Special Trial Counsel With Respect to Certain Offenses Occurring Before Effective Date of Military Justice Reforms Enacted in the National Defense Authorization Act for Fiscal Year 2022.—
(1) AUTHORITY.—Section 824a of title 10, United States Code, as added by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is amended by adding at the end the following new subsection:

“(d) SPECIAL TRIAL COUNSEL AUTHORITY OVER CERTAIN OTHER OFFENSES.—

“(1) OFFENSES OCCURRING BEFORE EFFECTIVE DATE.—A special trial counsel may, at the sole and exclusive discretion of the special trial counsel, exercise authority over the following offenses:

“(A) An offense under section 917a (article 117a), 918 (article 118), section 919 (article 119), section 920 (article 120), section 920b (article 120b), section 920c (article 120c), section 928b (article 128b), or the standalone offense of child pornography punishable under section 934 (article 134) of this title that occurred on or before December 27, 2023.

“(B) An offense under section 925 (article 125), section 930 (article 130), or section 932 (article 132) of this title that occurred on or after January 1, 2019, and before December 28, 2023.
“(C) An offense under section 920a (article 120a) of this title, an offense under section 925 (article 125) of this title alleging an act of nonconsensual sodomy, or the standalone offense of kidnapping punishable under section 934 (article 134) of this title that occurred before January 1, 2019.

“(D) A conspiracy to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 881 of this title (article 81).

“(E) A solicitation to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 882 of this title (article 82).

“(F) An attempt to commit an offense specified in subparagraph (A), (B), (C), (D), or (E) as punishable under section 880 of this title (article 80).

“(2) Effect of exercise of authority.—

“(A) Treatment as covered offense.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the offense over which the special trial
counsel exercises authority shall be considered a covered offense for purposes of this chapter.

“(B) Known or related offenses.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the special trial counsel may exercise the authority of the special trial counsel under subparagraph (B) of subsection (c)(2) with respect to other offenses described in that subparagraph without regard to the date on which the other offenses occur.”.

(2) Conforming amendment to effective date.—Section 539C(a) of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 801 note; Public Law 117–81) is amended by striking “and shall” and inserting “and, except as provided in section 824a(d) of title 10, United States Code (article 24a of the Uniform Code of Military Justice), shall”.

(d) Clarification of applicability of domestic violence and stalking to dating partners.—

(1) Article 128b; domestic violence.—Section 928b of title 10, United States Code (article 128b of the Uniform Code of Military Justice), is amended—
(A) in the matter preceding paragraph (1),
by striking “Any person” and inserting “(A) IN
GENERAL.—Any person”;
(B) in subsection (a), as designated by
paragraph (1) of this section, by inserting “a
dating partner,” after “an intimate partner,”
each place it appears; and
(C) by adding at the end the following new
subsection:
“(b) DEFINITIONS.—In this section (article), the
terms ‘dating partner’, ‘immediate family’, and ‘intimate
partner’ have the meaning given such terms in section 930
of this title (article 130 of the Uniform Code of Military
Justice).”.

(2) ARTICLE 130; STALKING.—Section 930 of
such title (article 130 of the Uniform Code of Mili-
tary Justice) is amended—
(A) in subsection (a), by striking “or to his
or her intimate partner” each place it appears
and inserting “to his or her intimate partner,
or to his or her dating partner”; and
(B) in subsection (b)—
(i) by redesignating paragraphs (3)
through (5) as paragraphs (4) through (6),
respectively; and
(ii) by inserting after paragraph (2) the following new paragraph:

“(3) The term ‘dating partner’, in the case of a specific person, means a person who is or has been in a social relationship of a romantic or intimate nature with such specific person based on a consideration of—

“(A) the length of the relationship;

“(B) the type of relationship;

“(C) the frequency of interaction between the persons involved in the relationship; and

“(D) the extent of physical intimacy or sexual contact between the persons involved in the relationship.”.

(e) EFFECTIVE DATE.—The amendments made by subsection (b) and subsection (e)(1) shall take effect immediately after the coming into effect of the amendments made by part 1 of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act (10 U.S.C. 801 note).
Subtitle E—Member Education, Training, Transition

SEC. 551. FUTURE SERVICEMEMBER PREPARATORY COURSE.

(a) REQUIREMENT.—If the number of nonprior service enlisted personnel covered under section 520 of title 10, United States Code, exceeds 10 percent of the total number of persons originally enlisted in an Armed Force during a fiscal year, the Secretary concerned shall establish a future servicemember preparatory course within the Armed Force concerned.

(b) PURPOSE.—The course established under subsection (a) shall be designed to improve the physical and aptitude qualifications of military recruits.

(c) CRITERIA.—Each course established under this section shall comply with the following requirements:

(1) ENROLLMENT.—All nonprior service enlisted persons whose score on the Armed Forces Qualification Test is at or above the twentieth percentile and below the thirty-first percentile must be enrolled in the course prior to attending initial basic training.

(2) GRADUATION REQUIREMENT.—Prior to attending initial basic training, all enlisted persons attending the course established under this section
must achieve a score that exceeds the thirty-first percentile of the Armed Forces Qualification Test.

(3) **Effect of course failure.**—Any enlisted person who fails to achieve course graduation requirements within 180 days of enlistment shall be separated under regulations prescribed by the Secretary concerned.

**SEC. 552. DETERMINATION OF ACTIVE DUTY SERVICE COMMITMENT FOR RECIPIENTS OF FELLOWSHIPS, GRANTS, AND SCHOLARSHIPS.**

Section 2603(b) of title 10, United States Code, is amended by striking “at least three times the length of the period of the education or training.” and inserting “determined by the Secretary concerned. Notwithstanding sections 2004(c), 2004a(f), and 2004b(c) of this title, the service obligation required under this subsection may run concurrently with any service obligations incurred under chapter 101 of this title in accordance with regulations established by the Secretary concerned.”.

**SEC. 553. MILITARY SERVICE ACADEMY PROFESSIONAL SPORTS PATHWAY REPORT AND LEGISLATIVE PROPOSAL REQUIRED.**

(a) **Legislative Proposal.**—Not later than March 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the
House of Representatives a report including the following elements:

(1) A legislative proposal that would—
   (A) update and clarify the legislative framework related to the ability of military service academy graduates to pursue employment as a professional athlete prior to serving at least 5 years on active duty; and
   (B) retain the existing requirement that all military service academy graduates must serve for 2 years on active duty before affiliating with the reserves to pursue employment as a professional athlete.

(2) A description of amendments to current law that would be necessary to implement the legislative proposal described under paragraph (1).

(b) REPORT REQUIRED.—Not later than March 1, 2024, and annually thereafter, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the following information:

(1) The name, military service, and sport of each military service graduate released or deferred from active service in order to participate in professional sports.
(2) A description of the sports career progress of each participant, such as drafted, signed, released, or returned to military service.

(3) A summary by participant of marketing strategy and recruiting related activities conducted.

(4) A description by participant of the assessments conducted by the military services to determine the recruiting value associated with approved releases from active duty.

(5) The current status of each participant, including, as appropriate, affiliated franchise.

SEC. 554. COMMUNITY COLLEGE ENLISTED TRAINING CORPS DEMONSTRATION PROGRAM.

(a) Demonstration Program.—

(1) In general.—Not later than August 1, 2025, the Secretary concerned shall establish within each military department an Enlisted Training Corps demonstration program for the purpose of introducing students to the military, and preparing selected students for enlisted service in the Army, Navy, Air Force, Marine Corps, or Space Force.

(2) Location.—Demonstration programs established under this section shall be located at a community or junior college. No program may be established at a military college or military junior col-
lege as defined for purposes of section 2107a of title 10, United States Code.

(b) Eligibility for Membership.—To be eligible for membership in a program under this section, a person must be a student at an institution where a unit of the Enlisted Training Corps is located.

c) Instructors.—The Secretary concerned may assign as an instructor for a unit established under this section an individual eligible to serve as an instructor under section 2111 or section 2031 of title 10, United States Code. Instructors who are not currently members on active duty shall be paid in a manner consistent with section 2031 of title 10, United States Code.

d) Financial Assistance.—The Secretary of the military department concerned may provide financial assistance to persons enrolled in a unit of the Enlisted Training Corps in exchange for an agreement in writing that the person enlist in the active component of the military department concerned upon graduation or disenrollment from the community college. Financial assistance provided under this subsection may include tuition, living expenses, stipend, or other payment.

e) Curriculum.—The Secretary concerned shall ensure that any programs created under this section include as part of the curriculum the following:
(1) An introduction to the benefits of military service.

(2) Military history.

(3) Military customs and courtesies.

(4) Physical fitness requirements.

(5) Instruction on ethical behavior and decision-making.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified by subsection (g), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the demonstration program required by this section.

(g) SUNSET.—The requirements of this provision shall sunset on September 30, 2030.

SEC. 555. LANGUAGE TRAINING CENTERS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

Section 529 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2001 note prec.) is amended—

(1) in subsection (a), by striking “may carry out a program” and inserting “shall carry out a program”;
(2) by redesignating subsection (e) as subsection (f);

(3) by inserting after subsection (d) the following new subsection:

“(e) CONTRACT AUTHORITY.—The Secretary of Defense may enter into one or more contracts, cooperative agreements, or grants with private national organizations having an expertise in foreign languages, area studies, and other international fields, for the awarding of grants to accredited universities, senior military colleges, or other similar institutions of higher education to establish and maintain language training centers authorized by subsection (a).”;

(4) in subsection (f), as redesignated by paragraph (2)—

(A) by striking “one year after the date of the establishment of the program authorized by subsection (a)” and inserting “180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024”;

(B) by striking “report on the program” and inserting “report on the Language Training Center program”;

(C) by redesignating paragraph (4) as paragraph (5);
(D) by inserting after paragraph (3) the following new paragraph:

“(4) An assessment of the resources required to carry out the Language Training Center program by year through fiscal year 2027.”; and

(E) in paragraph (5), as redesignated by subparagraph (C), by striking “A recommendation whether the program should be continued and, if so, recommendations as to any modifications of the program” and inserting “Recommendations as to any modifications to the Language Training Center program”.

SEC. 556. LIMITATION ON AVAILABILITY OF FUNDS FOR RELOCATION OF ARMY CID SPECIAL AGENT TRAINING COURSE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Army to relocate an Army CID special agent training course may be obligated or expended until—

(1) the Secretary of the Army submits to the Committees on Armed Services of the Senate and the House of Representatives a separate report on any plans of the Secretary to relocate an Army CID special agent training course, including an expla-
nation of the business case for any transfer of training personnel proposed as part of such plan; and

(2) the Secretary provides to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the contents of the report specified in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) The term “relocate”, when used with respect to an Army CID special agent training course, means the transfer of such course to a location different than the location used for such course as of the date of the enactment of this Act.

(2) The term “Army CID special agent training course” means a training course provided to members of the Army to prepare such members for service as special agents in the Army Criminal Investigation Division.

SEC. 557. ARMY PHYSICAL FITNESS TEST.

(a) IN GENERAL.—The physical fitness test of record for the United States Army in compliance with Department of Defense Instruction 1308.03, or any successor regulation, is the Army Physical Fitness Test according to the grading and evaluation scale as it existed on January 1, 2020. This test shall be the baseline test of physical fitness for members of the Army and administered at least
annually, except when operational requirements or contingency operations would make such test administration impracticable.

(b) **Updates and Modifications.**—Notwithstanding subsection (a), the Army may update, replace, or modify the events and scoring standards in the Army Physical Fitness Test as the needs of the Army require after a robust pilot and testing period of at least 24 months. Such modifications shall not take effect until the date that is one year after the Secretary of the Army has provided a briefing on the planned changes to the Committees on Armed Services of the Senate and the House of Representatives.

(e) **Rule of Construction.**—Nothing in this section prohibits the Army from using the Army Combat Fitness Test, or any other physical assessment the Army may develop, as a supplemental tool to assess physical fitness for all or parts of the force. Army Commanders may also require higher standards than the Army-wide grading scale for promotions, awards, schools and similar actions. Such supplemental assessment shall not constitute the baseline physical fitness assessment of record for the Army unless it is incorporated into the Army Physical Fitness Test using the procedure described in subsection (b).
SEC. 558. OPT-OUT SHARING OF INFORMATION ON MEMBERS RETIRING OR SEPARATING FROM THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Section 570F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1142 note) is amended—

(1) in subsection (c)—

(A) by striking “out the form to indicate an email address” and inserting the following: “out the form to indicate—

“(1) an email address; and”; and

(B) by adding at the end the following new paragraph:

“(2) if the individual would like to opt-out of the transmittal of the individual’s information to and through a State veterans agency as described in subsection (a).”; and

(2) by amending subsection (d) to read as follows:

“(d) OPT-OUT OF INFORMATION SHARING.—Information on an individual shall be transmitted to and through a State veterans agency as described in subsection (a) unless the individual indicates pursuant to subsection (c)(2) that the individual would like to opt out of such transmittal.”.
SEC. 559. ESTABLISHMENT OF PROGRAM TO PROMOTE PARTICIPATION OF FOREIGN STUDENTS IN THE SENIOR RESERVE OFFICERS’ TRAINING CORPS.

(a) Establishment.—

(1) IN GENERAL.—Not later than January 1, 2025, the Secretary of Defense shall establish a program using the authority provided under section 2103(b) of title 10, United States Code, to promote the participation of foreign students in the Senior Reserve Officers’ Training Corps (in this section referred to as the “Program”).

(2) ORGANIZATION.—The Secretary of Defense, in consultation with the Director of the Defense Security Cooperation Agency, the Secretaries of the military departments, the commanders of the combatant commands, the participant institutions in the Senior Reserve Officers’ Training Corps program, and any other individual the Secretary of Defense considers appropriate, shall be responsible for, and shall oversee, the Program.

(b) Objective.—The objective of the Program is to promote the readiness and interoperability of the United States Armed Forces and the military forces of partner countries by providing a high-quality, cost effective military-based educational experience for foreign students in
furtherance of the military-to-military program objectives of the Department of Defense and to enhance the educational experience and preparation of future United States military leaders through increased, extended interaction with highly qualified potential foreign military leaders.

(c) Activities.—

(1) In general.—Under the Program, the Secretary of Defense shall—

(A) identify to the military services’ Senior Reserve Officers’ Training Corps program the foreign students who, based on criteria established by the Secretary, the Secretary recommends be considered for admission under the Program;

(B) coordinate with partner countries to evaluate interest in and promote awareness of the Program;

(C) establish a mechanism for tracking an alumni network of foreign students who participate in the Program; and

(D) to the extent practicable, work with the participant institutions in the Senior Reserve Officers’ Training Corps program and
partner countries to identify academic institutions and programs that—

(i) have specialized academic programs in areas of study of interest to participating countries; or

(ii) have high participation from or significant diaspora populations from participating countries.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a strategy for the implementation of the Program.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following elements:

(A) A governance structure for the Program, including—

(i) the officials tasked to oversee the Program;

(ii) the format of the governing body of the Program;
(iii) the functions and duties of such governing body with respect to establishing and maintaining the Program; and

(iv) mechanisms for coordinating with partner countries whose students are selected to participate in the Program.

(B) A list of additional authorities, appropriations, or other congressional support necessary to ensure the success of the Program.

(C) A description of targeted partner countries and participant institutions in the Senior Reserve Officers’ Training Corps for the first three fiscal years of the Program, including a rationale for selecting such initial partners.

(D) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(E) A description of the mechanism for tracking the alumni network of participants of the Program.

(F) Any other information the Secretary of Defense considers appropriate.

(e) Report.—

(1) IN GENERAL.—Not later than September 20, 2025, and annually thereafter, the Secretary of
Defense shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on the Program.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following elements:

(A) A narrative summary of activities conducted as part of the Program during the preceding fiscal year.

(B) An overview of participant Senior Reserve Officers’ Training Corps programs, individuals, and countries, to include a description of the areas of study entered into by the students participating in the Program.

(C) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(D) Any other information the Secretary of Defense considers appropriate.

(f) LIMITATION ON AUTHORITY.—The Secretary of Defense may not use the authority provided under this section to pay for tuition or room and board for foreign students who participate in the Program.

(g) TERMINATION.—The Program shall terminate on December 31, 2029.
SEC. 560. CONSIDERATION OF STANDARDIZED TEST SCORES IN MILITARY SERVICE ACADEMY APPLICATION PROCESS.

The Secretary of Defense shall ensure that the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy require the submission and consideration of standardized test scores as part of their application processes.

Subtitle F—Military Family Readiness and Dependents’ Education

SEC. 561. PILOT PROGRAM ON RECRUITMENT AND RETENTION OF EMPLOYEES FOR CHILD DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense may develop and implement a pilot program to assess the effectiveness of increasing compensation for employees of child development programs on military installations in improving the ability of such programs to recruit and retain such employees.

(b) COMPENSATION.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall provide for the payment of compensation to employees of child development programs under the pilot program at a fair and competitive wage in keeping with market conditions.

(c) SELECTION OF LOCATIONS.—
(1) IN GENERAL.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall select not fewer than five military installations for purposes of carrying out the pilot program.

(2) CONSIDERATIONS.—In selecting military installations under paragraph (1), the Secretary shall consider military installations with child development programs—

(A) with a shortage of qualified employees;

or

(B) subject to other conditions identified by the Secretary that affect the ability of the programs to operate at full capacity.

(d) REGULATIONS.—The Secretary may prescribe such regulations as are necessary to carry out this section.

(e) DURATION OF PILOT PROGRAM.—If the Secretary implements the pilot program authorized by subsection (a), the pilot program shall—

(1) commence on the date on which the Secretary prescribes regulations under subsection (d); and

(2) terminate on the date that is 3 years after the date described in paragraph (1).

(f) BRIEFINGS REQUIRED.—
(1) **INITIAL BRIEFING.**—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall, when the pilot program commences in accordance with subsection (e)(1), brief the Committees on Armed Services of the Senate and the House of Representatives on—

(A) the military installations selected under subsection (c) for purposes of carrying out the pilot program; and

(B) the data that informed those selections.

(2) **FINAL BRIEFING.**—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall, not later than 180 days before the pilot program terminates in accordance with subsection (e)(2), brief the Committees on Armed Services of the Senate and the House of Representatives on the outcomes and findings of the pilot program, including—

(A) data collected and analyses conducted under the pilot program with respect to the relationship between increased compensation for employees of child development programs and improved recruitment or retention of those employees; and
(B) any recommendations with respect to increases in compensation for employees of child development programs across the Department of Defense as a result of the pilot program.

(g) **Child Development Program Defined.**—In this section, the term “child development program” means a program to provide child care services for children, between birth through 12 years of age, of members of the Armed Forces and civilian employees of the Department of Defense.

**SEC. 562. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.**

(a) **Continuation of Authority to Assist Local Educational Agencies That Benefit Dependents of Members of the Armed Forces and Department of Defense Civilian Employees.**—

(1) Assistance to schools with significant numbers of military dependent students.—Of the amount authorized to be appropriated for fiscal year 2024 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for
the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(2) LOCAL EDUCATIONAL AGENCY DEFINED.—In this subsection, the term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2024 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(2) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2024 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified
in the funding table in section 4301, $20,000,000 shall be available for use by the Secretary of Defense to make payments to local educational agencies determined by the Secretary to have higher concentrations of military children with severe disabilities.

(3) REPORT.—Not later than March 31, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the Department’s evaluation of each local educational agency with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

SEC. 563. MODIFICATIONS TO ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.

(a) In General.—Section 575 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (20 U.S.C. 7703d) is amended—

(1) in subsection (a)—

(A) by striking “year, the local educational agency” and all that follows through “(as deter-
mined” and inserting “year, the local edu-
2
cational agency had (as determined”;
3
(B) by striking paragraph (2);
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(C) by redesignating subparagraphs (A)
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and (B) as paragraphs (1) and (2), respectively,
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and by moving such paragraphs, as so redesig-
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nated, two ems to the left; and
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(D) in paragraph (2), as redesignated by
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paragraph (C), by striking “; or” and insert-
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ing a period;
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(2) in subsection (f)—
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(A) by striking “The Secretary of De-
13
fense” and inserting the following:
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“(1) IN GENERAL.—The Secretary of Defense,
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acting through the Director of the Office of Local
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Defense Community Cooperation,”; and
17
(B) by adding at the end the following:
18
“(2) METHOD OF DISBURSEMENT.—The Direc-
19
tor shall make disbursements under paragraph (1)
20
using existing authorities of the Office.”;
21
(3) by striking subsection (h); and
22
(4) by redesignating subsections (i) and (j) as
23
subsections (h) and (i), respectively.
24
(b) BRIEFING REQUIRED.—Not later than March 1,
25
2024, the Director of the Office of Local Defense Commu-
nity Cooperation shall brief the Committees of the Armed Services of the Senate and the House of Representatives on—

(1) any additional authorities that would be helpful to the Office in its efforts to better support local educational agencies; and


SEC. 564. ASSISTANCE FOR MILITARY SPOUSES TO OBTAIN DOULA CERTIFICATIONS.

Section 1784a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) DOULA CERTIFICATIONS.—In carrying out the programs authorized by subsection (a), the Secretary shall provide assistance to the spouse of a member of the armed forces described in subsection (b) in obtaining a doula certification provided by an organization that receives reim-

Subtitle G—Junior Reserve Officers’ Training Corps

SEC. 571. EXPANSION OF JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

Section 2031 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking “The President shall promulgate” and inserting “The Secretary of Defense shall promulgate”; and

(B) by striking “maintained, and shall provide” and all that follows through the period at the end and inserting “maintained.”; and

(2) by adding at the end the following new subsection:

“(g)(1) The Secretary of Defense shall establish and support not less than 3,400, and not more than 4,000, units of the Junior Reserve Officers’ Training Corps.

“(2) The requirement under paragraph (1) shall not apply—
“(A) if the Secretary fails to receive an adequate number of requests for Junior Reserve Officer’s Training Corps units by public and private secondary educational institutions; and

“(B) during a time of national emergency when the Secretaries of the military departments determine that funding must be allocated elsewhere.”.

**SEC. 572. JROTC PROGRAM CERTIFICATION.**

Section 2031 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(i)(1) The Secretary of Defense may suspend or place on probation a Junior Reserve Officers’ Training Corps unit that fails to comply with provisions of the standardized memorandum of understanding required pursuant to subsection (b).

“(2) Not later than one year after the date of the enactment of this subsection, and annually thereafter for four years, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report including information on units suspended or placed on probation pursuant to this subsection and a justification for the reinstatement of any such unit.
“(3) A unit may be placed on probation for a period of up to three years for failing to comply with the provisions of the standardized memorandum of understanding or any other requirement in this section. A unit may be suspended if, after the three-year probationary period, such unit remains out of compliance with the requirements of this section, and the Secretary of the military department concerned determines that such suspension is necessary to mitigate program deficiencies or to protect the safety of program participants.”

**SEC. 573. MEMORANDUM OF UNDERSTANDING REQUIRED.**

Section 2031(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E);

(2) by inserting “(1)” after “(b)”;

(3) in subparagraph (A), as redesignated by paragraph (1)—

(A) by striking “(A)” and inserting “(i)”;

and

(B) by striking “(B)” and inserting “(ii)”;

(4) by amending subparagraph (E), as so redesignated, to read as follows: “the unit meets such other requirements as the Secretary of the military department concerned proscribes in the memo-
subsection.”; and

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

“(2) The Secretary of Defense shall issue regulations establishing a standardized memorandum of understanding to be signed by the Secretary of the military department concerned and each institution operating a unit under this section. The memorandum shall address the following matters:

“(A) A requirement for institutions to notify the appropriate armed force of allegations of misconduct against an instructor receiving retired or other pay from such armed force, including procedures that would require such institutions to report allegations of sexual misconduct, including harassment, against an instructor, within 48 hours of learning of such allegations;

“(B) Processes by which the military departments certify instructors, including the conduct of appropriate background checks by the military service and the institution concerned.

“(C) Processes by which the military service will conduct oversight of their certified instructors,
including the requirement to recertify instructors not
less often than once every five years.

“(D) Processes by which such institution’s pro-
gram will be inspected by the military department
concerned prior to establishment of a new unit, or
not less often than once every four years in the case
of units existing as of January 1, 2024, staggered
as the Secretary determines appropriate.

“(E) A requirement that each institution cer-
tifies it—

“(i) has created a process for students to
report violations of their rights under title IX
of the Education Amendments of 1972 (20
U.S.C. 1681 et seq.), as applicable, and title VI
of the Civil Rights Act of 1964 (42 U.S.C.
2000d et seq.), including the rights of students
to not be subject to discrimination or subject to
retaliation for reporting a violation of those
laws, if such laws apply to the institution;

“(ii) has implemented policies ensuring
students and instructors are notified of those
rights, as well as the process for reporting vio-
lations of those rights, including information on
available mandatory reporters, if such laws
apply to the institution;
“(iii) has implemented annual training to inform students of methods to prevent, respond to, and report sexual assault and harassment;
“(iv) agrees to report all allegations of violations described under this subparagraph to the military department concerned and, if subject to the jurisdiction of the Department of Education, the Department of Education’s Office of Civil Rights not less often than annually;
“(v) has developed processes to ensure that each student enrolled in a unit under this section has done so voluntarily; and
“(vi) agrees to provide the data necessary to compile the report required under subsection (j).”.

SEC. 574. JUNIOR RESERVE OFFICERS’ TRAINING CORPS INSTRUCTOR COMPENSATION.

Section 2031 of title 10, United States Code, is amended—

(1) by amending subsection (d) to read as follows:

“(d)(1) Instead of, or in addition to, detailing officers and nonecommissioned officers on active duty under subsection (c)(1), the Secretary of the military department
concerned may authorize qualified institutions to employ, as administrators and instructors in the program—

“(A) retired officers and noncommissioned officers whose qualifications are approved by the Secretary and the institution concerned and who request such employment;

“(B) officers and noncommissioned officers who are separated with an honorable discharge within the past 5 years with at least 8 years of service and are approved by the Secretary and the institution concerned and who request such employment; or

“(C) officers and noncommissioned officers who are active participating members of the selected reserve at the time of application, for purposes of section 101(d) of this title, and have not yet reached retirement eligibility and are approved by the Secretary and the institution concerned and who request such employment.

“(2) Employment under this subsection shall be subject to the following conditions:

“(A) The Secretary concerned shall pay to the institution an amount equal to one-half of the Department’s prescribed JROTC Standardized Instructor Pay Scale (JSIPS) amount paid to the member by the institution for any period.
“(B) The Secretary concerned may pay to the institution more than one-half of the amount paid to the member by the institution if (as determined by the Secretary)—

“(i) the institution is in an educationally and economically deprived area; and

“(ii) the Secretary determines that such action is in the national interest.

“(C) Payments by the Secretary concerned under this subsection shall be made from funds appropriated for that purpose.

“(D) The Secretary concerned may require successful applicants to transfer to the Individual Ready Reserve (IRR).”;}

(2) by striking subsections (e) and (f); and

(3) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

SEC. 575. ANNUAL REPORT ON ALLEGATIONS OF SEXUAL MISCONDUCT IN JROTC PROGRAMS.

Section 2031 of title 10, United States Code, as amended by section 572 of this Act, is further amended by adding at the end the following new subsection:

“(j)(1) Not later than March 31, 2024, and annually thereafter through March 31, 2029, the Secretary of Defense shall submit to Committees on Armed Services of
the Senate and the House of Representatives a report on
allegations of sexual misconduct, sexual harassment, and
sex discrimination in JROTC programs during the pre-
ceding year.

“(2) Each report required under paragraph (1) shall
set forth the following:

“(A) The number of reported allegations of vio-
lations under title IX of the Education Amendments
of 1972 (20 U.S.C. 1681 et seq.) in school-affiliated
JROTC programs, including—

“(i) the number of such reported allega-
tions that were investigated;

“(ii) the outcome of those investigations;

and

“(iii) the number of such reported allega-
tions by State, the District of Columbia, or
overseas location where these reports occurred.

“(B) The number of reports that the Depart-
ment of Defense or military services have received
during the reporting period involving allegations of
acts of violence, including sexual abuse or harass-
ment, by instructors against students in the JROTC
program, including—

“(i) the offense involved;

“(ii) the military service involved;
“(iii) the number of instructors and number of allegations they each received;

“(iv) the number of reports of sexual misconduct and harassment that have been investigated;

“(v) the number of reports or investigations that have led to the removal of instructors from JROTC programs; and

“(vi) the number of such reported allegations by State, the District of Columbia, or overseas location where these reports occurred.

“(C) Any steps the Department of Defense has taken to mitigate sexual misconduct and harassment in JROTC programs during the preceding year.

“(3) Each report required under paragraph (1) shall be submitted in unclassified form and may not be marked as controlled unclassified information.

“(4) The Secretary shall annually report to the Committees on Armed Services of the Senate and the House of Representatives regarding compliance with this subsection by the JROTC program, including an up-to-date report on the Secretary’s monitoring of such compliance.

“(5) The Secretary may seek the advice and counsel of the Attorney General and the Secretary of Health and Human Services concerning the development and dissemi-
nation to the JROTC program of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.

“(6) No officer, employee, or agent of an institution participating in any program under this chapter shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

SEC. 576. COMPTROLLER GENERAL REPORT ON EFFORTS TO INCREASE TRANSPARENCY AND REPORTING ON SEXUAL VIOLENCE IN THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on efforts to increase transparency and reporting on sexual violence in the Junior Reserve Officers’ Training Corps Program.

(b) Elements.—The report required under subsection (a) shall include a description of the following:
(1) The implementation of section 2031 of title 10, United States Code, as amended by sections 572, 573, and 575 of this Act.

(2) The adequacy of the Department of Defense’s vetting process for Junior Reserve Officers’ Training Corps instructors.


(4) Any changes in the numbers of sexual harassment, assault, or stalking incidents reported to institutions or law enforcement agencies.

(5) The sufficiency of military department unit inspections.

(c) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means the Committee on Armed Services of the Senate and the House of Representatives.
Subtitle H—Decorations and Other Awards, Miscellaneous Reports and Other Matters

SEC. 581. EXTENSION OF DEADLINE FOR REVIEW OF WORLD WAR I VALOR MEDALS.

Section 584(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 7271 note) is amended by striking “six years after the date of the enactment of this Act” and inserting “December 31, 2028”.

SEC. 582. PROHIBITION ON FORMER MEMBERS OF THE ARMED FORCES ACCEPTING POST-SERVICE EMPLOYMENT WITH CERTAIN FOREIGN GOVERNMENTS.

(a) In General.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 989. Prohibition on former members of the armed forces accepting post-service employment with certain foreign governments

“(a) In General.—Except as provided by subsection (b), a covered individual may not occupy a covered post-service position.

“(b) Temporary Waiver.—
“(1) IN GENERAL.—The Secretary of Defense shall establish a process under which a covered individual may be granted a temporary waiver of the prohibition under subsection (a) if—

“(A) the individual, or a Federal agency on behalf of, and with the consent of, the individual, submits to the Secretary a written application for a waiver in such form and manner as the Secretary determines appropriate; and

“(B) the Secretary determines that the waiver is necessary to advance the national security interests of the United States.

“(2) PERIOD OF WAIVER.—A waiver issued under paragraph (1) shall apply for a period not exceeding 5 years. The Secretary may renew such a waiver.

“(3) REVOCATION.—The Secretary may revoke a waiver issued under paragraph (1) to a covered individual with respect to a covered-post service position if the Secretary determines that the employment of the individual in the covered-post service position poses a threat to national security.

“(4) NOTIFICATION.—

“(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary
issues a waiver under paragraph (1) or revokes a waiver under paragraph (3), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Represent- atives written notification of the waiver or revocation, as the case may be.

“(B) ELEMENTS.—A notification required by subparagraph (A) shall include the following:

“(i) With respect to a waiver issued to a covered individual—

“(I) the details of the application, including the position held by the individual in the armed forces;

“(II) the nature of the post-service position of the individual;

“(III) a description of the national security interests that will be advanced by reason of issuing such a waiver; and

“(IV) the specific reasons why the Secretary determines that issuing the waiver will advance such interests.

“(ii) With respect to a revocation of a waiver issued to a covered individual—
“(I) the details of the waiver, including any renewals of the waiver, and the dates of such waiver and renewals; and

“(II) the specific reasons why the Secretary determined that the revocation is warranted.

“(c) Certification of Prohibition.—In implementing the prohibition under subsection (a), the Secretary shall establish a process under which each member of the armed forces is, before the member retires or is otherwise separated from the armed forces—

“(1) informed in writing of the prohibition, and the penalties for violations of the prohibition; and

“(2) is required to certify that the member understands the prohibition and those penalties.

“(d) Penalties.—In the case of a covered individual who knowingly and willfully fails to comply with the prohibition under subsection (a), the Secretary shall, as applicable—

“(1) withhold any pay, allowances, or benefits that would otherwise be provided to the individual by the Department of Defense; and

“(2) revoke any security clearance of the individual.
“(e) Annual Reports.—

“(1) Requirement.—Not later than March 31, 2024, and annually thereafter, the Secretary shall submit to the congressional defense committees a report on covered post-service employment occurring during the year covered by the report.

“(2) Elements.—Each report required by paragraph (1) shall include the following:

“(A) The number of former covered individuals who occupy a covered post-service position, broken down by—

“(i) the name of the employer;

“(ii) the foreign government, including by the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed; and

“(iii) the nature of the services provided as part of the covered post-service employment.

“(B) An assessment by the Secretary of whether—

“(i) the Department of Defense maintains adequate systems and processes for ensuring that former members of the
armed forces are submitting required reports relating to their employment by foreign governments;

“(ii) all covered individuals who occupy a covered post-service position are in compliance with this section;

“(iii) the services provided by the covered individuals who occupy a covered post-service position pose a current or future threat to the national security of the United States; and

“(iv) there is any credible information or reporting that any covered individual who occupies a covered post-service position has engaged in activities that violate Federal law.

“(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(f) NOTIFICATIONS OF DETERMINATIONS OF CERTAIN THREATS.—

“(1) REQUIREMENT.—In addition to the annual reports under subsection (d), if the Secretary determines that the services provided by a covered individual who occupies a covered post-service position
pose a threat described in clause (iii) of paragraph (2)(B) of that subsection, or include activities described in clause (iv) of such paragraph, the Secretary shall notify the congressional defense committees of that determination by not later than 30 days after making the determination.

“(2) ELEMENTS.—A notification required by paragraph (1) shall include the following:

“(A) The name of the covered individual.

“(B) The name of the employer.

“(C) The foreign government, including the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed.

“(D) As applicable, a description of the risk to national security and the activities that may violate Federal law.

“(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to indemnify or shield covered individuals from prosecution under any relevant provision of title 18.

“(h) DEFINITIONS.—In this section:

“(1) COVERED INDIVIDUAL.—The term ‘covered individual’ means an individual who has retired
or otherwise separated from an active or reserve
component of the Armed Forces.

“(2) COVERED POST-SERVICE EMPLOYMENT.—
The term ‘covered post-service employment’ means
direct or indirect employment by, representation of,
or any provision of advice or services relating to na-
tional security, intelligence, the military, or internal
security to—

“(A) the government of—

“(i) a country of concern (as defined
in section 1(m) of the State Department
Basic Authorities Act of 1956 (22 U.S.C.
2651a(m))); or

“(ii) a country the Secretary of De-
fense determines acts as a proxy or pass-
through for services for a country of con-
cern; or

“(B) any company, entity, or other person
the activities of which are directly or indirectly
supervised, directed, controlled, financed, or
subsidized, in whole or in major part, by a gov-
ernment described in subparagraph (A).

“(3) COVERED POST-SERVICE POSITION.—The
term ‘covered post-service position’ means a position
of employment described in paragraph (2).”.
(b) **Clerical Amendment.**—The table of sections at the beginning of chapter 49 of such title is amended by adding at the end the following new item:

“989. Prohibition on former members of the armed forces accepting post-service employment with certain foreign governments.”.

(e) **Conforming Amendment.**—Section 908 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(f) **Prohibition on Former Members of Armed Forces Accepting Employment With Certain Foreign Governments.**—For a provision of law prohibiting former members of the armed forces from accepting post-service employment with certain foreign governments, see section 989 of title 10.”.

**SEC. 583. Prohibition on Requiring Listing of Gender or Pronouns in Official Correspondence.**

The Department of Defense is prohibited from requiring members of the Armed Forces or civilian employees of the Department of Defense to list their gender or pronouns in official correspondence, whether such correspondence is written or electronic.
Subtitle I—Enhanced Recruiting Efforts

SEC. 591. SHORT TITLE.

This subtitle may be cited as the “Military Service Promotion Act of 2023”.

SEC. 592. INCREASED ACCESS TO POTENTIAL RECRUITS AT SECONDARY SCHOOLS.

Section 503(c) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “; and” and inserting a semicolon;

(ii) by redesignating clause (ii) as clause (iii);

(iii) by inserting after clause (i) the following new clause:

“(ii) shall provide to military recruiters access to career fairs or similar events upon a request made by military recruiters for military recruiting purposes; and”;

and

(iv) in clause (iii), as redesignated by subparagraph (B), by inserting “, not later than 60 days after receiving such request,” after “provide”; and
(B) in subparagraph (B), by striking “sub-
paragraph (A)(ii)” and inserting “subparagraph
(A)(iii)”;

(2) by redesignating paragraph (6) as para-
graph (7); and

(3) by inserting after paragraph (5) the fol-
lowing new paragraph:

“(6) The Secretary of Defense shall submit an annual
report to Congress not later than February 1 each cal-
endar year, detailing each notification of denial of recruit-
ing access issued under paragraph (3).”.

SEC. 593. INCREASED ACCESS TO POTENTIAL RECRUITS AT
INSTITUTIONS OF HIGHER EDUCATION.

Section 983(b) of title 10, United States Code, is
amended—

(1) in paragraph (1), by striking “; or” and in-
serting a semicolon;

(2) in paragraph (2)—

(A) by striking “to the following informa-
tion pertaining” and inserting “, with respect”;

(B) by striking “institution):” and insert-
ing “institution)—”;

(C) in subparagraph (A)—

(i) by striking “Names” and inserting
"names"; and
(ii) by striking “telephone listings.”
and inserting “telephone listings, which in-
formation shall be made available not later
than the 60th day following the date of a
request; and”; and

(D) in subparagraph (B), by striking
“Date” and inserting “date”.

TITLE VI—COMPENSATION AND
OTHER PERSONNEL BENEFITS
Subtitle A—Pay and Allowances
SEC. 601. PAY OF MEMBERS OF RESERVE COMPONENTS
FOR INACTIVE-DUTY TRAINING TO OBTAIN
OR MAINTAIN AN AERONAUTICAL RATING OR
DESIGNATION.

(a) In general.—Chapter 3 of title 37, United
States Code, is amended by inserting after section 206 the
following new section:

“§ 206a. Pay of members of reserve components for
inactive-duty training to obtain or main-
tain an aeronautical rating or designa-
tion

“Under regulations prescribed by the Secretary con-
cerned, a member of the National Guard or a member of
a reserve component of a uniformed service who is receiv-
ing aviation incentive pay under section 334(a) of this title
and is entitled to compensation under section 206 of this title is entitled to such compensation for a number of periods of inactive-duty training each month sufficient for the member to obtain or maintain an aeronautical rating or designation.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by inserting after the item relating to section 206 the following new item:

“206a. Pay of members of reserve components for inactive-duty training to obtain or maintain an aeronautical rating or designation.”.

SEC. 602. MODIFICATION OF CALCULATION METHOD FOR BASIC ALLOWANCE FOR HOUSING TO MORE ACCURATELY ASSESS HOUSING COSTS OF JUNIOR MEMBERS OF UNIFORMED SERVICES. Section 403(b)(5) of title 37, United States Code, is amended, in the second sentence, by striking “and shall be based on the following:” and all that follows through “determined in subparagraph (A)”.

SEC. 603. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS ASSIGNED TO VESSELS UNDERGOING MAIN- TENANCE. Section 403(f)(2) of title 37, United States Code, is amended—
(1) in subparagraph (A), by striking “subparagraphs (B) and (C)” and inserting “subparagraphs (B), (C), and (D)”; and

(2) by adding at the end the following new subparagraph:

“(D)(i) Under regulations prescribed by the Secretary concerned, the Secretary may authorize the payment of a basic allowance for housing to a member of a uniformed service without dependents who is serving in a pay grade below E–6 and has orders to a naval vessel during a shipyard availability or maintenance period.

“(ii) In prescribing regulations under clause (i), the Secretary concerned shall consider the availability of quarters for members serving in pay grades below E–6 before authorizing the payment of a basic allowance for housing for such members.”.

SEC. 604. DUAL BASIC ALLOWANCE FOR HOUSING FOR TRAINING FOR CERTAIN MEMBERS OF RESERVE COMPONENTS.

Section 403(g)(3) of title 37, United States Code, is amended—

(1) by striking “Paragraphs” and inserting “(A) Except as provided by subparagraph (B), paragraphs”; and
(2) by adding at the end the following new sub-
paragraph:

“(B) Paragraphs (1) and (2) shall apply with respect
to a member of a reserve component without dependents
who is called or ordered to active duty to attend training
for a period of 140 days or more but fewer than 365 days
and for whom transportation of household goods is author-
ized under section 453(c) of this title as part of the call
or order to active duty.”.

SEC. 605. MODIFICATION OF CALCULATION OF GROSS
HOUSEHOLD INCOME FOR BASIC NEEDS AL-
LOWANCE TO ADDRESS AREAS OF DEM-
ONSTRATED NEED.

(a) In General.—Section 402b(k)(1)(B) of title 37,
United States Code, is amended by inserting “or that oth-
erwise has a demonstrated need” after “high cost of liv-
ing”.

(b) Implementation Guidance.—The Secretary of
Defense shall revise the guidance issued with respect to
implementation of the basic needs allowance under section
402b of title 37, United States Code, to reflect the amend-
ment made by subsection (a).
235
1 SEC. 606. EXPANSION OF ELIGIBILITY FOR REIMBURSEMENT OF QUALIFIED LICENSURE, CERTIFICATION, AND BUSINESS RELOCATION COSTS INCURRED BY MILITARY SPOUSES.
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3 Section 453(g)(1) of title 37, United States Code, is amended—
4
5 (1) in subparagraph (A)—
6
7 (A) by striking “member is reassigned” and inserting the following: “member is—
8
9 “(i) reassigned”; 
10
11 (B) by striking “; and” and inserting “; or”; and
12
13 (C) by adding at the end the following new clause:
14
15 “(ii) transferred from a regular component of a uniformed service into the Selected Reserve of the Ready Reserve of a uniformed service, if the member is authorized a final move from the last duty station to the new jurisdiction or geographic area; and”; and
16
17 (2) in subparagraph (B), by inserting “or transfer” after “reassignment”.
18
19 SEC. 607. COST-OF-LIVING ALLOWANCE IN THE CONTINENTAL UNITED STATES: HIGH COST AREAS.
20
21 Section 403b(e) of title 37, United States Code, is amended—
(1) in the second sentence, by striking “8 percent” and inserting “5 percent”; and
(2) in the third sentence, by striking “shall prescribe” and inserting “may prescribe”.

SEC. 608. OCONUS COST-OF-LIVING ALLOWANCE: ADJUSTMENTS.

Section 617 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in the section heading, by striking “; NOTICE TO CERTAIN CONGRESSIONAL COMMITTEES”; and
(2) by striking subsections (a), (b), and (c) and inserting the following:

“(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary of Defense may announce reductions in the cost-of-living allowance for a member of the uniformed services assigned to a duty station located outside the continental United States—

“(1) not more than two times per year; or
“(2) in connection with a permanent change of station for such member.

“(b) LIMITATION ON SIZE OF REDUCTIONS.—The Secretary may not make a reduction under subsection (a) in the allowance described in that subsection by an
amount that exceeds 10 percent of the amount of the al-
lowance before the reduction.

“(c) Treatment of Reductions Relating to Foreign Currency Exchange Rates.—The limitations under subsections (a) and (b) shall not apply to reductions in the allowance described in subsection (a) relating to changes in foreign currency exchange rates.

“(d) Implementation of Reductions.—The Secretary may phase in the reductions described in subsection (a).

“(e) Increases.—The Secretary may increase the allowance described in subsection (a) for a member of the uniformed services at any time.”.

SEC. 609. EXTENSION OF ONE-TIME UNIFORM ALLOWANCE FOR OFFICERS WHO TRANSFER TO THE SPACE FORCE.


SEC. 610. REVIEW OF RATES OF MILITARY BASIC PAY.

(a) In General.—The Secretary of Defense shall conduct a review of the rates of monthly basic pay author-
ized for members of the uniformed services to determine
if the current basic pay table adequately compensates junior enlisted personnel in pay grades E–1 through E–4.

(b) FACTORS FOR REVIEW.—In conducting the review required by subsection (a), the Secretary shall conduct the following:

(1) An assessment of the adequacy of the rates of monthly basic pay for members of the uniformed services in light of current and predicted recruiting difficulties.

(2) An analysis of how such basic pay, when combined with other elements of regular compensation for members of the uniformed services, compares with private sector wages for potential recruits to the uniformed services.

(3) An assessment of how sustained periods of cost inflation affect pay for the uniformed services and comparable private sector wages.

(4) An historical analysis of how percentage differences between junior enlisted basic pay, senior enlisted basic pay, junior officer basic pay, and senior officer basic pay, have changed since the rates of basic pay for members of the uniformed services were authorized by section 601 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note).
(c) **Report and Legislative Proposal Required.**—Not later than March 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

1. a report on the results of the review required by subsection (a); and
2. a comprehensive legislative proposal for the rates of basic pay for members of the uniformed services.


(a) In General.—The Comptroller General of the United States shall conduct a study on the process for determining cost-of-living allowances for members of the uniformed services stationed in the continental United States, Hawaii, Alaska, and at overseas locations.

(b) Elements.—In conducting the study required by subsection (a), the Comptroller General shall assess—

1. the fairness and equity of the process for determining cost-of-living allowances described in...
subsection (a) and methods for improving that process;

(2) the advantages and disadvantages of averaging the results of continental United States Living Pattern Surveys and Retail Price Schedules without regard to the geographic concentration of members of the uniformed services within the continental United States when determining the baseline cost of living for the continental United States;

(3) if additional out-of-pocket expenses, including the costs for a member of the uniformed services to travel to and from the home of record of the member from the assigned duty station of the member, should be included in the calculations of the Department of Defense for determining overseas cost-of-living allowances to better equalize the true costs of living for members stationed outside the continental United States with such costs for members stationed inside the continental United States; and

(4) the process by which the Department of Defense conducts Living Pattern Surveys and develops Retail Price Schedules.

(e) Report Required.—Not later than one year after the date of the enactment of this Act, the Controller General shall submit to the Committees on Armed
Services of the Senate and the House of Representatives

a report—

(1) setting forth the results of the study required by subsection (a); and

(2) making any recommendations the Controller General considers appropriate based on those results, including any recommendations for changes to section 403b or 405 of title 37, United States Code.

Subtitle B—Bonus and Incentive Pays

SEC. 621. MODIFICATION OF SPECIAL AND INCENTIVE PAY AUTHORITIES FOR MEMBERS OF RESERVE COMPONENTS.

(a) In General.—Section 357 of title 37, United States Code, is amended—

(1) by striking “incentive pay” and inserting “special or incentive pay”; and

(2) by striking the period at the end and inserting the following: “if the Secretary concerned is paying the member of the reserve component the special or incentive pay for the purpose of—

“(1) maintaining a skill certification or proficiency identical to a skill certification or proficiency required of the member in the regular component; or
“(2) compensating the member of the reserve component for exposure to hazards or risks identical to hazards or risks to which the member in the regular component was exposed.”.

(b) Conforming and Clerical Amendments.—

(1) Conforming Amendment.—The section heading for section 357 of title 37, United States Code, is amended by striking “Incentive” and inserting “Special and incentive”.

(2) Clerical Amendment.—The table of sections for chapter 5 of such title is amended by striking the item relating to section 357 and inserting the following new item:

“357. Special and incentive pay authorities for members of the reserve components of the armed forces.”.

(c) Modification of Implementation Determination.—Section 602(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 37 U.S.C. 357 note) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, two ems to the right;

(2) by striking “The Secretary may” and inserting the following:

“(1) IN GENERAL.—The Secretary shall”;
(3) in subparagraph (A), as redesignated by paragraph (1), by striking “subsection (b)” and inserting “subsection (c)”; and

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

“(2) Evaluation of types of special and incentive pay.—In making the determination and certification described in paragraph (1)(B), the Secretary shall evaluate each type or category of special and incentive pay separately and may make the determination and certification based on the effect on an Armed Force concerned of a particular type or category of special or incentive pay.”.

SEC. 622. EXPANSION OF CONTINUATION PAY ELIGIBILITY.

(a) Continuation Pay: Full TSP Members With 8 to 12 Years of Service.—Section 356 of title 37, United States Code, is amended—

(1) in the section heading, by striking “8” and inserting “7”; and

(2) in subsections (a)(1) and (d), by striking “8” and inserting “7”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 356 and inserting the following new item:

“356. Continuation pay: full TSP members with 7 to 12 years of service.”.
SEC. 623. ONE-YEAR EXTENSION OF CERTAIN EXPIRING

BONUS AND SPECIAL PAY AUTHORITIES.

(a) Authorities Relating to Reserve Forces.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

(b) Title 10 Authorities Relating to Health Care Professionals.—The following sections of title 10 United States Code, are amended by striking “December 31, 2023” and inserting “December 31, 2024”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) Authorities Relating to Nuclear Officers.—Section 333(i) of title 37, United States Code, is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

(d) Authorities Relating to Title 37 Consolidated Special Pay, Incentive Pay, and Bonus Authorities.—The following sections of title 37, United

...
States Code, are amended by striking “December 31, 2023” and inserting “December 31, 2024”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers’ Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(c) Authorities to Provide Temporary Increase in Rates of Basic Allowance for Hous-
Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), relating to temporary increases in rates of basic allowance for areas covered by a major disaster declaration or containing an installation experiencing a sudden influx of military personnel, by striking “December 31, 2023” and inserting “December 31, 2024”; and

(2) in paragraph (8)(C), relating to temporary adjustments in rates of basic allowance for housing for localities where actual housing costs differ from current rates of basic allowance for housing by more than 20 percent, by striking “September 30, 2023” and inserting “December 31, 2024”.

SEC. 624. REQUIREMENT TO ESTABLISH REMOTE AND AUSTERE CONDITION ASSIGNMENT INCENTIVE PAY PROGRAM FOR AIR FORCE.

The Secretary of the Air Force shall—

(1) evaluate the Remote and Austere Condition Assignment Incentive Pay program of the Army; and

(2) not later than October 1, 2025, establish a similar program for the Air Force, unless the Secretary can certify to Congress that there are no critically manned units at any Air Force installation in Alaska.
Subtitle C—Other Matters

SEC. 631. MODIFICATION OF REQUIREMENTS FOR APPROVAL OF FOREIGN EMPLOYMENT BY RETIRED AND RESERVE MEMBERS OF UNIFORMED SERVICES.

Section 908 of title 37, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “A person” and inserting “(1) A person”;

(B) by inserting “after determining that such approval is not contrary to the national interests of the United States” after “approve the employment”; and

(C) by adding at the end the following new paragraph:

“(2) The Secretary of a military department may delegate the determination of the Secretary required by paragraph (1) only to an official of the military department at or above the level of an Assistant Secretary or, in the event of a vacancy in the position of such an official, a civilian official performing the duties of that position.”;

and

(2) in subsection (d)—

(A) in paragraph (2)—
(i) in the matter preceding subpara-

graph (A), by striking “an officer” and in-
serting “a person”; and

(ii) by striking subparagraphs (B) and

(C) and inserting the following new sub-
paragraphs:

“(B) A description of the duties, if any, the
person is to perform and the compensation the per-
son is to receive for such duties, as reflected in the
person’s application for approval of the employment
or compensation or payment or award.

“(C) The position the person held or holds in
the armed forces, including the rank of the person
and the armed force in which the person served.

“(D) Any other information the Secretaries of
the military departments consider relevant, except
that such information may not include the person’s
date of birth, Social Security number, home address,
phone number, or any other personal identifier other
than the name and rank of the person and the
armed force in which the person served.”; and

(B) by adding at the end the following new
paragraph:

“(3) Not later than 60 days after the date on which
a report required by paragraph (1) is submitted, the Sec-
retaries of the military departments shall make the report, and all contents of the report, available on a publicly ac-
cessible internet website.”.

SEC. 632. RESTRICTIONS ON RETIRED AND RESERVE MEM-
BERS OF THE ARMED FORCES RECEIVING
EMPLOYMENT AND COMPENSATION INDI-
RECTLY FROM FOREIGN GOVERNMENTS
THROUGH PRIVATE ENTITIES.

Section 908(a) of title 37, United States Code, is ame-
ded—

(1) by redesignating paragraphs (1), (2), and
(3) as subparagraphs (A), (B), and (C), respectively,
and by moving such subparagraphs, as so redesig-
nated, 2 ems to the right;

(2) by striking “Subject to” and inserting the
following:

“(1) IN GENERAL.—Subject to”;

(3) in subparagraph (C), as redesignated, by
striking “Commissioned Reserve Corps” and insert-
ing “Ready Reserve Corps”; and

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

“(2) APPLICATION TO PRIVATE ENTITIES.—

“(A) IN GENERAL.—The acceptance by a
person described in subparagraph (B) of em-
ployment (and compensation related to that employment) or payments or awards for work performed for a foreign government through a private entity shall be subject to the provisions of this section to the same extent and in the same manner as such provisions apply to employment (and compensation related to that employment) and payments and awards described in paragraph (1).

“(B) Persons described.—A person described in this subparagraph is—

“(i) a retired member of the Army, Navy, Air Force, Marine Corps, or Space Force; or

“(ii) a member of a reserve component of an armed force specified in clause (i), except a member serving on active duty under a call or order to active duty for a period in excess of 30 days.”.
TITLE VII—HEALTH CARE
PROVISIONS

Subtitle A—TRICARE and Other
Health Care Benefits

SEC. 701. EXTENSION OF PERIOD OF ELIGIBILITY FOR
HEALTH BENEFITS UNDER TRICARE RESERVE SELECT FOR SURVIVORS OF A MEMBER OF THE SELECTED RESERVE.

(a) IN GENERAL.—Section 1076d(c) of title 10, United States Code, is amended by striking “six months” and inserting “three years”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2025.

SEC. 702. AUTHORITY TO PROVIDE DENTAL CARE FOR DEPENDENTS LOCATED AT CERTAIN REMOTE OR ISOLATED LOCATIONS.

Section 1077(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

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

“(3)(A) Dependents who reside within a specified geographic area and are covered by a dental plan established under section 1076a may receive dental care in a dental
treatment facility of the uniformed services on a space
available basis if the Secretary of Defense determines
that—
“(i) civilian dental care within the specified geo-
graphic area is inadequate or is not sufficiently
available; and
“(ii) adequate resources exist to provide space
available dental care to the dependents at the facil-
ity.
“(B) Care under subparagraph (A) shall be provided
on a reimbursable basis.”.

SEC. 703. INCLUSION OF ASSISTED REPRODUCTIVE TECH-
NOLOGY AND ARTIFICIAL INSEMINATION AS
REQUIRED PRIMARY AND PREVENTIVE
HEALTH CARE SERVICES FOR MEMBERS OF
THE UNIFORMED SERVICES AND DEPEND-
ENTS.

(a) Members of the Uniformed Services.—Sec-
tion 1074d of title 10, United States Code, is amended—
(1) in subsection (a)(2)—
(A) by striking “entitled to preventive”
and inserting “entitled to—
“(A) preventive”;
(B) in subparagraph (A), as designated by
subparagraph (A) of this paragraph, by striking
the period at the end and inserting ‘‘; and’’;

and

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

“(B) for male members of the uniformed serv-
ices (excluding former members of the uniformed
services), services relating to infertility described in
subsection (b)(4).’’; and

(2) by adding at the end the following new sub-
section:

“(c) INFERTILITY SERVICES INCLUDED FOR MEM-
BERS OF THE UNIFORMED SERVICES.—Services relating
to infertility required to be provided under subsections
(a)(2)(B) and (b)(4) for members of the uniformed serv-
ices (excluding former members of the uniformed services)
shall include the following:

“(1) Treatments or procedures using assisted
reproductive technology (as defined in section 8 of
the Fertility Clinic Success Rate and Certification
Act of 1992 (42 U.S.C. 263a–7(1)), excluding in
vitro fertilization).

“(2) The provision of artificial insemination, in-
cluding intrauterine insemination, without regard to
coital conception.’’.
(b) DEPENDENTS.—Section 1077(a) of such title is amended by adding at the end the following new paragraph:

“(19) Services relating to infertility, including the services specified in section 1074d(c) of this title, except that the services specified in such section may be provided only to a dependent of a member of the uniformed services (excluding any dependent of a former member of the uniformed services).”.

(c) EXCLUSION FROM CONTRACTS FOR FORMER MEMBERS AND THEIR DEPENDENTS.—Section 1086 of such title is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking “subsection (d)” and inserting “subsections (d) and (j)”;

(2) by adding at the end the following new subsection:

“(j) A plan contracted for under subsection (a) may not include coverage for services under section 1077(a)(19) of this title for former members of the uniformed services or dependents of former members of the uniformed services.”.

(d) APPLICATION.—The amendments made by this section shall apply to services provided on or after January 1, 2025.
(e) Rule of Construction.—Nothing in this section or the amendments made by this section shall be construed to provide new benefits to or alter existing benefits for former members of the uniformed services or the dependents of former members of the uniformed services.

SEC. 704. PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURIES, AND CO-OCCURRING DISORDERS RELATED TO MILITARY SEXUAL TRAUMA.

(a) Establishment of Program.—

(1) In general.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074o the following new section:

"§ 1074p. Program on treatment of members of the armed forces for post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma

“(a) In general.—The Secretary of Defense shall carry out a program to provide intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual
trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

“(b) Discharge Through Partnerships.—The Secretary shall carry out the program under subsection (a) through partnerships with public, private, and non-profit health care organizations, universities, and institutions that—

“(1) provide health care to members of the armed forces;

“(2) provide evidence-based treatment for psychological and neurological conditions that are common among members of the armed forces, including post-traumatic stress disorder, traumatic brain injury, substance abuse, and depression;

“(3) provide health care, support, and other benefits to family members of members of the armed forces; and

“(4) provide health care under the TRICARE program.

“(c) Program Activities.—Each organization, university, or institution that participates in a partnership under the program under subsection (a) shall—

“(1) carry out intensive outpatient programs of short duration to treat members of the armed forces suffering from post-traumatic stress disorder, trau-
mastic brain injuries, and co-occurring disorders related to military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

“(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

“(3) share clinical and outreach best practices with other organizations, universities, and institutions participating in the program under subsection (a); and

“(4) annually assess outcomes for members of the armed forces individually and among the organizations, universities, and institutions participating in the program under subsection (a) with respect to the treatment of conditions described in paragraph (1).”.

(2) Clerical amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074o the following new item:

“1074p. Program on treatment of members of the armed forces for post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma.”.

(b) Reports.—

(1) Initial report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on
Armed Services of the Senate and the House of Representatives a report on the program under section 1074p of title 10, United States Code, as added by subsection (a), which shall include a description of the program and such other matters on the program as the Secretary considers appropriate.

(2) ADDITIONAL REPORT.—Not later than two years after commencement of implementation of the program under section 1074p of title 10, United States Code, as added by subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the program, which shall include the following:

(A) A description of the program, including the partnerships under the program as described in subsection (b) of such section, as so added.

(B) An assessment of the effectiveness of the program and the activities under the program.

(C) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the program.

(c) CONFORMING REPEAL.—

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by striking the item relating to section 702.

SEC. 705. WAIVER OF COST-SHARING FOR THREE MENTAL HEALTH OUTPATIENT VISITS FOR CERTAIN BENEFICIARIES UNDER THE TRICARE PROGRAM.

(a) TRICARE SELECT.—Section 1075(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4)(A) Consistent with other provisions of this chapter and subject to requirements to be prescribed by the Secretary, the Secretary may waive cost-sharing requirements for the first three outpatient mental health visits each year of any of the following beneficiaries:

“(i) Beneficiaries in the active-duty family member category.
“(ii) Beneficiaries covered by section 1110b of this title.

“(B) This paragraph shall terminate on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.”.

(b) TRICARE PRIME.—Section 1075a(a) of such title is amended by adding at the end the following new paragraph:

“(4)(A) Consistent with other provisions of this chapter and subject to requirements to be prescribed by the Secretary, the Secretary may waive cost-sharing requirements for the first three outpatient mental health visits each year of a beneficiary in the active-duty family member category (as described in section 1075(b)(1)(A) of this title).

“(B) This paragraph shall terminate on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.”.

SEC. 706. EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

(a) EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.—Section 746 of the William M. (Mac) Thornberry National

(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) COVERAGE OF DOULA CARE.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary shall ensure that the demonstration project includes coverage of labor doula care, or reimbursement for such care, for all beneficiaries under the TRICARE program, including access—

“(1) by members of the Armed Forces on active duty;

“(2) by beneficiaries outside the continental United States; and

“(3) at military medical treatment facilities.”.

(b) HIRING OF DOULAS.—The hiring authority for each military medical treatment facility may hire a team of doulas to work in coordination with lactation support personnel or labor and delivery units at such facility.
Subtitle B—Health Care Administration

SEC. 711. INCREASE IN STIPEND FOR PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS.

Section 2121(d) of title 10, United States Code, is amended, in the matter preceding paragraph (1), by striking “$30,000” and inserting “$50,000”.

SEC. 712. FINANCIAL RELIEF FOR CIVILIANS TREATED IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) INTERIM FINAL RULE REQUIRED.—The Secretary of Defense shall issue an interim final rule to implement as soon as possible after the date of the enactment of this Act section 1079b of title 10, United States Code.

(b) TREATMENT OF CLAIMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall hold in abeyance any claims under section 1079b of title 10, United States Code, until the interim final rule required under subsection (a) is in effect.

(2) EXCEPTION.—Paragraph (1) does not apply to—

(A) claims to third-party payers; or

(B) administrative support provided to the Secretary by another Federal agency to assist
the Secretary in the administration of section 1079b of title 10, United States Code.

SEC. 713. DEPARTMENT OF DEFENSE OVERDOSE DATA ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the “Department of Defense Overdose Data Act of 2023”.

(b) ANNUAL REPORT ON MILITARY OVERDOSES.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the appropriate congressional committees a report on the number of annual overdoses among servicemembers.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The total number of servicemembers who suffered a fatal or nonfatal overdose during the previous calendar year, including—

(i) demographic information, including gender, race, age, military department, military rank, pay grade, and station;

(ii) the location of the fatal overdose, including whether the overdose was on a military base; and
(iii) a list of the substances involved in the fatal overdose.

(B) Of the servicemembers identified in subparagraph (A)—

(i) the number of servicemembers who received mental health or substance use disorder services prior to a fatal or nonfatal overdose, including a description of whether such services were received from a private sector provider;

(ii) the number of servicemembers with comorbid mental health diagnoses;

(iii) the number of servicemembers who had been prescribed opioids, benzodiazepines, or stimulants;

(iv) the number of servicemembers who had been categorized as high-risk and prescribed or provided naloxone prior to a fatal or nonfatal overdose;

(v) the number of servicemembers who had a positive drug test prior to the fatal overdose, including any substance identified in such test;

(vi) the number of servicemembers referred to, including by self-referral, or en-
gaged in medical treatment, including medication treatment for opioid use disorder;

(vii) with respect to each servicemember identified in clause (vi), whether the servicemember was referred after a positive drug test and the source of such referral; and

(viii) the number of fatal overdoses and intentional overdoses.

(C) An analysis of discernable patterns in fatal and nonfatal overdoses of servicemembers.

(D) A description of existing or anticipated response efforts to fatal and nonfatal overdoses at military bases that have rates of fatal overdoses that exceed the average rate of fatal overdoses in the United States.

(E) An assessment of the availability of substance use disorder treatment for servicemembers.

(F) The number of medical facilities of, or affiliated with, the Department of Defense that have opioid treatment programs.

(G) A description of punitive measures taken by the Secretary of Defense in response
to substance misuse, substance use disorder, or overdose by servicemembers.

(3) Privacy.—

(A) In general.—Nothing in this subsection shall be construed to authorize the disclosure by the Secretary of Defense of personally identifiable information of servicemembers or military family members, including anonymized personal information that could be used to re-identify servicemembers or military family members.

(B) Application of HIPAA.—In carrying out this subsection, the Secretary of Defense shall take steps to protect the privacy of servicemembers and military family members pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note; Public Law 104–191).

(c) Standards for the Use of Materials to Prevent Overdose and Substance Use Disorder.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall establish standards for the distribution of, and training for the use of, naloxone or other medication for overdose reversal, opioid
disposal materials, fentanyl test strips, and other mater-
rials to prevent or reverse overdoses, substance use dis-
order, or impacts related to substance misuse.

(d) SUNSET.—This section shall terminate on the
date that is 5 years after the date of the enactment of
this Act.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—The term “appropriate congressional com-
mittees” means—

(A) the Committee on Armed Services of
the Senate; and

(B) the Committee on Armed Services of
the House of Representatives.

(2) MILITARY FAMILY MEMBER.—The term
“military family member” means a family member
of a servicemember, including the spouse, parent, de-
pendent, or child of a servicemember, or anyone who
has legal responsibility for the child of a service-
member.

(3) SERVICEMEMBER.—The term “servicemem-
ber” means—

(A) a member of the Armed Forces; or

(B) a member of the National Guard.
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SEC. 714. MODIFICATION OF ADMINISTRATION OF MEDICAL MALPRACTICE CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Section 2733a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “subsection (f)” and inserting “subsection (j)”;

(2) in subsection (b)(6), by striking “subsection (f)” and inserting “subsection (j)”;

(3) in subsection (d)(1), by striking “subsection (f)” and inserting “subsection (j)”;

(4) by redesignating subsections (f) through (i) as subsections (j) through (m), respectively; and

(5) by inserting after subsection (e) the following new subsections:

“(f) EXPERT MEDICAL OPINIONS.—(1) The Secretary of Defense may not use an expert medical opinion from an individual in determining whether to allow, settle, and pay a claim under this section unless the individual is a board-certified physician.

“(2) No claim under this section may be denied on medical grounds until the Secretary obtains an expert medical opinion on the medical malpractice alleged under such claim from an individual who—
“(A) is not a member of the uniformed services or a civilian employee of the Department of Defense; and

“(B) does not have a business, medical, or personal relationship with the claimant.

“(3) If a claim under this section is denied, the Secretary shall provide to the claimant information regarding the identity and qualifications of any individual who provided an expert medical opinion upon which such denial is based.

“(g) JUSTIFICATION OF DENIAL.—If a claim under this section is denied, the Secretary of Defense shall provide the claimant with detailed reasoning justifying the denial of the claim, including—

“(1) copies of any written reports prepared by any expert upon which the denial is based; and

“(2) all records and documents relied upon in preparing such written reports.

“(h) APPEALS.—(1) Any appeal from the denial of a claim under this section shall be considered by a third-party review board jointly established by the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense.

“(2) The third-party review board established under paragraph (1) shall consist of not more than five members,
all of whom who possess sufficient legal or medical background, or both.

“(3) A claimant under this section that seeks an appeal under paragraph (1) may submit the appeal directly to the third-party review board established under such paragraph.

“(4) In considering an appeal from the denial of a claim under this section, the third-party review board established under paragraph (1) shall, at the request of the claimant, allow for a hearing on the merits of the appeal in an adversarial nature.

“(5) The Secretary of Defense shall provide to a claimant seeking an appeal under paragraph (1) a copy of any response to the appeal that is submitted on behalf of the Department of Defense.

“(6) The third-party review board established under paragraph (1) shall not consist of any member of the uniformed services or civilian employee of the Department of Defense.

“(i) Treatment of Non-economic Damages.—(1) Any non-economic damages provided to a member of the uniformed services under this section may not be offset by compensation provided or expected to be provided by the Department of Defense or the Department of Veterans Affairs.
“(2)(A) The Secretary of Defense shall establish a cap on non-economic damages to be provided with respect to a claim under this section.

“(B)(i) The cap established under subparagraph (A) shall be determined by calculating the average of non-economic damage caps for medical malpractice claims applicable in California, Texas, North Carolina, and Virginia.

“(ii) If a State specified in clause (i) provides a different cap for cases involving death and cases not involving death, the cap for cases not involving death shall be used.

“(C) The cap established under paragraph (1) shall be recalculated not less frequently than once every three years.”.

(b) APPOINTMENT OF MEMBERS.—Not later than 180 days after the date of the enactment of this Act, the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense shall jointly appoint members to the board established under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5).

(c) REPORT.—Not later than 180 days after the establishment of the board required under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5), the Secretary of Defense shall submit
to the Committees on Armed Services of the Senate and the House of Representatives a report indicating—

(1) the membership of the board;

(2) the qualifying background of each member of the board; and

(3) a statement indicating the independence of each member of the board from the Department of Defense.

Subtitle C—Reports and Other Matters

SEC. 721. MODIFICATION OF PARTNERSHIP PROGRAM BETWEEN UNITED STATES AND UKRAINE FOR MILITARY TRAUMA CARE AND RESEARCH.

Section 736 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively; and

(2) by inserting after paragraph (6) the following new paragraph (7):

“(7) The provision of training and support to Ukraine for the treatment of individuals with extremity trauma, amputations, post-traumatic stress disorder, traumatic brain injuries, and any other
mental health conditions associated with post-traumatic stress disorder or traumatic brain injuries, including—

“(A) the exchange of subject matter expertise;

“(B) training and support relating to advanced clinical skills development; and

“(C) training and support relating to clinical case management support.”.

SEC. 722. REQUIREMENT THAT DEPARTMENT OF DEFENSE DISCLOSE EXPERT REPORTS WITH RESPECT TO MEDICAL MALPRACTICE CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES.

Section 2733a of title 10, United States Code, as amended by section 714, is further amended—

(1) by redesignating subsections (l) and (m) as subsections (m) and (n), respectively; and

(2) by inserting after subsection (k) the following new subsection (l):

“(l) DISCLOSURE BY DEPARTMENT OF DEFENSE.—

(1) The Secretary of Defense shall disclose to a claimant under this section a copy of all written reports, other than medical quality assurance records (as defined in section 1102(j) of this title), prepared by a medical expert of the
Department of Defense or any medical expert consulted by the Department with respect to the claim.

“(2) Any disclosure under paragraph (1) with respect to an expert described in such paragraph shall include the following:

“(A) The records and documents considered by the expert.

“(B) A description of the bases and reasons for the opinion of the expert.

“(C) The opinion or opinions of the expert regarding standard of care.

“(D) The opinion or opinions of the expert regarding causation.

“(E) A description of any disagreement by the expert with any opinion or opinions of the expert of the claimant.

“(3) Any disclosure under paragraph (1) with respect to an expert described in such paragraph shall not include an identification of the expert.

“(4) If an expert described in paragraph (1) does not prepare a written report, the Secretary shall disclose the information required under this section to the claimant in writing.”.
SEC. 723. COMPTROLLER GENERAL STUDY ON IMPACT OF PERINATAL MENTAL HEALTH CONDITIONS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS ON MILITARY READINESS AND RETENTION.

(a) Study.—

(1) In general.—The Comptroller General of the United States shall conduct a study on perinatal mental health conditions among members of the Armed Forces and dependents of such members during the five-year period preceding the date of the enactment of this Act.

(2) Elements.—The study required under paragraph (1) shall include the following:

(A) An assessment of beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, who attempted suicide or died by suicide or substance use overdose during the perinatal period.

(B) An assessment of members of the Armed Forces discharged from active duty due to a mental health condition within two years after the perinatal period.

(C) An assessment of beneficiaries under the TRICARE program, including members of
the Armed Forces and dependents of such members, diagnosed with a perinatal mental health condition who were relocated during the perinatal period.

(D) An assessment of the effects of retention and promotion policies of the Department of Defense relating to perinatal mental health conditions on members of the Armed Forces seeking and accessing screening, referral, and treatment.

(E) The number of members of the Armed Forces who were separated from the Armed Forces or did not receive a promotion due to a diagnosed perinatal mental health condition.

(F) An assessment of whether policies of the Department can be modified to provide clear standards for retention and pathways for promotion of members of the Armed Forces diagnosed with a perinatal mental health condition.

(G) An assessment of resources needed to integrate behavioral health specialists into all obstetric care practices, pediatric practices, and women’s clinics.
(H) A disaggregated demographic assessment of the population included in the study with respect to race, ethnicity, sex, age, family status (including dual service and single parent families), military occupation, military service, and rank, as applicable.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the study conducted under subsection (a), including—

(1) recommendations for actions to be taken by the Secretary of Defense to improve mental health among members of the Armed Forces and dependents of such members during the perinatal period;

(2) recommendations for legislative or administrative action to mitigate the effects of retention and promotion policies of the Department of Defense on members of the Armed Forces seeking and accessing mental health care during the perinatal period; and

(3) such other recommendations as the Comptroller General determines appropriate.

(c) DEFINITIONS.—In this section:
(1) **DEPENDENT; TRICARE PROGRAM.**—The terms “dependent” and “TRICARE program” have the meanings given those terms in section 1072 of title 10, United States Code.

(2) **PERINATAL MENTAL HEALTH CONDITION.**—

The term “perinatal mental health condition” means a mental health disorder that onsets during the perinatal period.

(3) **PERINATAL PERIOD.**—The term “perinatal period” means the period during pregnancy and the one-year period following childbirth, still birth, or miscarriage.

**SEC. 724. REPORT ON MENTAL AND BEHAVIORAL HEALTH SERVICES PROVIDED BY DEPARTMENT OF DEFENSE.**

Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that contains the following:

(1) The current wait times for members of the Armed Forces, including members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who are enrolled in TRICARE Reserve Select under section 1076d of
title 10, United States Code, to receive mental and behavioral health services, disaggregated by State.

(2) An assessment of the number of additional mental and behavioral health care providers needed for the Department of Defense to meet established metrics associated with access to mental and behavioral health services.

(3) An explanation of the credentialing standards for mental and behavioral health care providers of the Department, including a comparison of those standards to the standards for other Federal and private sector health care providers.

SEC. 725. REPORT ON ACTIVITIES OF DEPARTMENT OF DEFENSE TO PREVENT, INTERVENE, AND TREAT PERINATAL MENTAL HEALTH CONDITIONS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities of the Department of Defense to address the mental health of pregnant and postpartum members of the Armed Forces and dependents of such members.
(b) **Elements.**—The report required by subsection (a) shall include the following

1. An identification of the military medical treatment facilities at which the Secretary offers members of the Armed Forces and their dependents evidence-based programs during the perinatal period that are proven to prevent perinatal mental health conditions.

2. An assessment of such programs offered at such facilities, including an assessment of—

   A. the types of programs;
   
   B. the number and location of programs;
   
   C. the number of members of the Armed Forces and their dependents who have participated in such programs, disaggregated by Armed Force, military occupation, sex, age, race, and ethnicity, when applicable; and
   
   D. whether such programs are delivered in-person or virtually and the frequency of the availability of such programs;

3. The number of behavioral health specialists for pregnant and postpartum members of the Armed Forces and dependents integrated into obstetric care practices, pediatrics, and women’s clinics at military medical treatment facilities.
(4) An assessment of the implementation of, or plans to implement, a pilot program to provide a reproductive behavioral health consultation service by the Secretary as outlined in the White House Blueprint for Addressing the Maternal Health Crisis, dated June 2022, including—

(A) the number of providers the pilot program has served or plans to serve, disaggregated by provider type, specialty, and location;

(B) the number and type of trainings providers received or will receive through the consultation line on evidence-based practices to prevent, screen, refer, and treat perinatal mental health conditions;

(C) the locations that have had or will have access to the pilot program;

(D) the types of expertise services that the consultation line provides or will provide; and

(E) methods currently used or that will be used to promote the availability of the consultation line to providers.

(5) Any recommendations for legislative or administrative action to improve prevention, intervention, and treatment of perinatal mental health condi-
itions for members of the Armed Forces and their dependents.

(c) DEFINITIONS.—In this section:

(1) DEPENDENT.—The term “dependent” has the meaning given that term in section 1072(2) of title 10, United States Code.

(2) PERINATAL MENTAL HEALTH CONDITION.—The term “perinatal mental health condition” means a mental health disorder that occurs during pregnancy or within one year following childbirth, still-birth, or miscarriage.

SEC. 726. STUDY ON FAMILY PLANNING AND CRYOPRESERVATION OF GAMETES TO IMPROVE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study on—

(1) the number of members of the Armed Forces who elect to leave the Armed Forces for family planning reasons, disaggregated by gender, age, and military occupational specialty;

(2) whether the option of cryopreservation of gametes would lead to greater retention of members of the Armed Forces;
(3) methods for the Department of Defense to
offer cryopreservation of gametes for the purposes of
retention of members of the Armed Forces;

(4) the cost to the Department of offering
cryopreservation of gametes to active duty members
of the Armed Forces; and

(5) such other matters relating to family plan-
ning and cryopreservation of gametes for members
of the Armed Forces as the Secretary considers rel-
evant.

(b) BRIEFING.—Not later than April 1, 2024, the
Secretary shall brief the Committees on Armed Services
of the Senate and the House of Representatives on the
results of the study conducted under subsection (a).

TITLE VIII—ACQUISITION POL-
ICY, ACQUISITION MANAGE-
MENT, AND RELATED MAT-
TERS

Subtitle A—Acquisition Policy and
Management

SEC. 801. AMENDMENTS TO MULTIYEAR PROCUREMENT
AUTHORITY.

Section 3501 of title 10, United States Code, is
amended—

(1) in subsection (a)(1)—
(A) by striking “will result in significant savings” and inserting the following: “will result in—

“(A) significant savings”; and

(B) by striking “annual contracts.” and inserting the following: “annual contracts; or

“(B) necessary industrial base stability not otherwise achievable through annual contracts.”; and

(2) by striking “$500,000,000” each place it appears and inserting “$1,000,000,000”.

SEC. 802. MODERNIZING THE DEPARTMENT OF DEFENSE REQUIREMENTS PROCESS.

(a) MODERNIZING THE DEPARTMENT OF DEFENSE REQUIREMENTS PROCESS.—Not later than October 1, 2025, the Secretary of Defense, acting through the Vice Chairman of the Joint Chiefs of Staff, in cooperation with the Secretaries of the military departments and the commanders of the combatant commands, and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall develop and implement a streamlined Department of Defense requirements process, to include modernizing the Joint Capabilities Integration and Development System, in order to improve alignment between modern warfare concepts, technologies, and system devel-
opment and reduce the time to delivery of needed capabilities to Department users.

(b) Reform Elements.—The modernization activities conducted under subsection (a) shall include the following elements:

(1) Streamlining requirements documents, reviews, and approval processes, especially for programs below the major defense acquisition program threshold described in section 4201 of title 10, United Stated Code.

(2) Revisiting requirements management practices from a first principles perspective based on mission outcomes and assessed threats, enabling a more iterative and collaborative approach with the services to shape requirements and technology driven opportunities.

(3) Developing a capability needs and requirements framework and pathways that are aligned to the Department’s Adaptive Acquisition Framework pathways, and better aligned and integrated with the Department’s science and technology processes.

(4) Enabling the military departments to develop an enduring set of requirements according to a set of capability portfolios to provide a structure across acquisition programs and research, which
shall be articulated in a concise model and document
with a set of mission impact measures that capability deliveries will seek to continuously improve.

(5) Establishing a process to rapidly validate
the military utility of commercial solutions to meet capability needs or opportunities in lieu of the traditional program-centric requirements definition.

(6) Retiring and replacing the Department of Defense Architecture Framework with a new structure focused on enabling interoperability through application program interfaces, enterprise architectures and platforms, and government and commercial standards.

(7) Ensuring that requirements processes for software, artificial intelligence, data, and related capability areas enable a rapid, dynamic, and iterative approach than traditional hardware systems.

(c) ELEMENTS.—The implementation of streamlined requirements shall include the following elements:

(1) Collaboration with industry, traditional and non-traditional defense companies, and the science and technology community to capture their inputs and feedback on shaping the Department’s requirements processes to ensure it effectively harnesses the innovation ecosystem.
(2) Development of a formal career path, training, and structure for requirements management professionals and chief architects.

(3) Publication of new policies, guidance, and templates for the operational, requirements, and acquisition workforce in online digital formats instead of large policy documents.

(d) Interim Report.—Not later than October 1, 2024, the Secretary of Defense shall submit to the congressional defense committees an interim report on the modernization conducted by the Secretary under subsection (a), including—

(1) a description of the modernization efforts;

(2) the Department of Defense’s plans to implement, communicate, and continuously improve the modernization of the Department’s requirements processes and structure; and

(3) any additional recommendations for legislation that the Secretary determines appropriate.

(e) Final Report.—Not later than October 1, 2025, the Secretary of Defense shall submit to the Secretary of Defense and the congressional defense committees a final report describing activities carried out pursuant to subsections (b) and (c).
SEC. 803. HEAD OF CONTRACTING AUTHORITY FOR STRATEGIC CAPABILITIES OFFICE.

(a) Authority.—The Director of the Strategic Capabilities Office shall have the authority to conduct acquisition activities within the Strategic Capabilities Office.

(b) Acquisition Executive.—

(1) In general.—The staff of the Director shall include an acquisition executive, who shall be responsible for the overall supervision of acquisition matters for the Strategic Capabilities Office. The acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with the military departments and Department of Defense components to carry out the acquisition of equipment, capabilities, and services on behalf of the Office;

(B) to supervise the acquisition of equipment, capabilities, and services on behalf of the Office;

(C) to represent the Office in discussions with the military departments regarding acquisition programs for which the Office is a customer; and

(D) to work with the military departments to ensure that the Office is appropriately represented in any joint working group or inte-
grated product team regarding acquisition programs for which the Office is a customer.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—

The acquisition executive of the Strategic Capabilities Office shall be—

(A) responsible to the Director for rapidly delivering acquisition solutions to meet validated cyber operations-peculiar requirements;

(B) subordinate to the defense acquisition executive in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(e) IMPLEMENTATION PLAN REQUIRED.—The authority granted in subsection (a) shall become effective 30 days after the date on which the Secretary of Defense provides to the congressional defense committees a plan for implementation of those authorities under subsection (a).

The plan shall include the following:

(1) Summaries of the components to be negotiated in the memoranda of agreement with the military departments and other Department of Defense components to carry out the development, acquisi-
tion, and sustainment of equipment, capabilities, and services described in subsection (b)(1).

(2) Negotiation and approval timelines for memorandum of agreement.

(3) A plan for oversight of the acquisition executive established under subsection (b).

(4) An assessment of the acquisition workforce needs of the Strategic Capabilities Office to support the authority provided under subsection (a) until 2028.

(5) Other matters as appropriate.

(d) **Annual End-of-Year Assessment.**—Each year, the Under Secretary of Defense for Acquisition and Sustainment shall review and assess the acquisition activities of the Strategic Capabilities Office, including contracting and acquisition documentation, for the previous fiscal year and provide any recommendations or feedback to the acquisition executive of the Strategic Capabilities Office.

(e) **Sunset.**—

(1) **In General.**—The authority provided under this section shall terminate on September 30, 2028.

(2) **Limitation on Duration of Acquisitions.**—The authority under this section does not
include major defense acquisition programs, major automated information system programs, or acquisitions of foundational infrastructure or software architectures the duration of which is expected to last more than five years.

SEC. 804. PILOT PROGRAM FOR THE USE OF INNOVATIVE INTELLECTUAL PROPERTY STRATEGIES.

(a) IN GENERAL.—As soon as practicable, the Secretary of each military department shall designate one acquisition program within their service and the Under Secretary of Defense for Acquisition and Sustainment shall designate one acquisition program within the Department of Defense Agencies and Field Activities for the use of innovative intellectual property strategies in order to acquire the necessary technical data rights required for the operations and maintenance of that system.

(b) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives with a detailed plan to implement the requirements of this section.
(c) **Annual Report.**—Upon selection of the programs to be covered by this section and until the termination of this authority, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretaries of the military departments, shall provide an annual report to the Committees on Armed Services of the Senate and the House of Representatives on the effectiveness of the pilot program in acquiring the data necessary to support timely, cost-effective maintenance and sustainment of the system and any recommendations for the applicability of lessons learned from this pilot program to future acquisition programs.

(d) **Definitions.**—In this section:

(1) **Department of Defense Agencies and Field Activities.**—The terms “Department of Defense Agency” and “Department of Defense Field Activity” have the meanings given those terms in section 101 of title 10, United States Code.

(2) **Innovative Intellectual Property Strategies.**—The term “innovative intellectual property strategies” includes the following:

(A) The use of an escrow account to verify and hold intellectual property data.

(B) The use of royalties or licenses.
(C) Other innovative strategies to acquire the necessary level of intellectual property and data rights to support the operations, maintenance, installation, and training (OMIT) of the selected program.

(e) Sunset.—The authority to initiate a program under this section shall terminate on December 31, 2028.

SEC. 805. FOCUSED COMMERCIAL SOLUTIONS OPENINGS OPPORTUNITIES.

(a) Requirement.—The Secretary of Defense, in coordination with the service acquisition executives of each military department, shall create not less than three new commercial solutions opening (CSO) opportunities pursuant to section 3458 of title 10, United States Code, each fiscal year. Each such CSO opportunities shall be dedicated to addressing the mission needs and integrated priority lists of a single geographic combatant command.

(b) Execution.—In creating the CSO opportunities required under subsection (a), the Secretary of Defense shall—

(1) assign the responsibility for issuing a CSO to a single military department, with a program executive officer from that military department assigned as lead; and
(2) ensure that any program executive office (PEO) assignment should be made to align the needs of the CSO with a PEO that has similar existing requirements and funding for transitioning technologies within the focus area.

(c) SUNSET.—The requirement in subsection (a) shall expire on September 30, 2027.

SEC. 806. STUDY ON REDUCING BARRIERS TO ACQUISITION OF COMMERCIAL PRODUCTS AND SERVICES.

(a) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall conduct a study on the feasibility and advisability of—

(1) establishing a default determination that products and services acquired by the Department of Defense are commercial and do not require commercial determination as provided under section 3456 of title 10, United States Code;

(2) establishing a requirement for non-commercial determinations to be made for acquisitions to use procedures other than part 12 of the Federal Acquisition Regulation; and

(3) mandating use of commercial procedures under part 12 of the Federal Acquisition Regulation
unless a justification of non-commerciality is determined.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the study conducted under subsection (a). The report shall include specific findings with relevant data and proposed recommendations, including for any necessary and desirable modifications to applicable statute for any changes the Department seeks to make regarding paragraphs (1) through (3) of subsection (a).

SEC. 807. SENSE OF THE SENATE ON INDEPENDENT COST ASSESSMENT.

It is the sense of the Senate that—

(1) to implement the National Defense Strategy, the Department of Defense requires thoughtful and thorough analysis to ensure efficient and effective use of each taxpayer dollar to inform tradeoff analysis that delivers the optimum portfolio of military capabilities;

(2) the Secretary of Defense requires timely, insightful, and unbiased analysis on cost estimation for major defense acquisition programs; and
(3) the Office of the Director of Cost Assessment and Program Evaluation supports implementation of the National Defense Strategy by—

(A) providing insight into the costs of major defense acquisition programs and other technology development initiatives that enables responsible budgeting and proactive management decisions so that the Department can control cost, drive efficiency, and achieve savings;

(B) ensuring that the cost estimation workforce of the Department of Defense is using the most modern and realistic cost estimation methodologies, tools, and tradecraft, including the collection and distribution of data through the Cost Assessment Data Enterprise; and

(C) providing timely review and oversight of cost estimates performed by the defense agencies and military departments.

SEC. 808. EMERGENCY ACQUISITION AUTHORITY FOR PURPOSES OF REPLENISHING UNITED STATES STOCKPILES.

Section 3601(a)(1) of title 10, United States Code, is amended—
(1) in subparagraph (A)(iv), by striking ‘‘; or’’ and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ‘‘; or’’; and

(3) by adding at the end the following new sub-
paragraph:

‘‘(C) for purposes of—

‘‘(i) replenishing United States stock-
piles with like defense articles when those stockpiles are diminished as a result of the United States providing defense articles in response to an armed attack by a country of concern (as that term is defined in sec-
tion 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)) against—

‘‘(I) a United States ally (as that term is defined in section 201(d) of the Act of December 2, 1942, entitled, ‘To provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes’ (56 Stat. 1028, chapter 668; 42 U.S.C. 1711(d))); or
“(II) a United States partner; or

“(ii) contracting for the movement or
delivery of defense articles transferred to
such ally or partner through the Presi-
dent’s drawdown authorities in connection
with such response,

provided that the United States is not a party
to the hostilities.”.

Subtitle B—Amendments to Gene-
eral Contracting Authorities,
Procedures, and Limitations

SEC. 811. COMMANDER INITIATED RAPID CONTRACTING
ACTIONS.

(a) In General.—The commander of a combatant
command, upon providing a written determination to a
supporting head (or heads) of contracting activity (HCA),
may request emergency, rapid contracting response using
special authorities described in subsection (b)—

(1) in support of a contingency operation (as
defined in section 101(a) of title 10, United States
Code);

(2) to facilitate the defense against or recovery
from cyber, nuclear, biological, chemical, or radio-
logical attack against the United States;
(3) in support of a humanitarian or peacekeeping operation (as the term is defined in section 3015(2) of title 10, United States Code); and

(4) for purposes of protecting the national security interests of the United States during directed operations that fall below the level of armed conflict.

(b) APPLICABILITY.—In carrying out subsection (a), the HCA may utilize the following authorities to rapidly respond to time-sensitive or unplanned emergency situations:

(1) For actions taken under subsection (a) in the case of a contract to be awarded and performed, or purchase to be made, in the United States, simplified procedures for a single contracting action may be used up to $15,000.

(2) For actions taken under subsection (a) in the case of a contract to be awarded and performed, or purchase to be made, outside the United States, simplified procedures for a single contracting action may be used up to $25,000.

(3) For purposes of section 3205(a)(2) of title 10, United States Code, the applicable threshold is deemed to be $10,000,000.

(4) The property or service being procured may be treated as a commercial product or a commercial
service for the purpose of carrying out the procure-
ment.

(c) **DETERMINATION.**—A written determination re-
quired under subsection (a) may be used to cover more
than one requested action, and may be directed to more
than one HCA, and shall include:

(1) The rationale for initiating the request in
accordance with paragraphs (1) though (4) of such
subsection.

(2) A description of the actions being requested
of the HCA.

(3) A declaration that funds are available for
such requested contracting support.

(d) **SUNSET.**—The authority under subsection (a)
shall terminate on September 30, 2028.

(e) **ANNUAL REPORT.**—Not later than January 15,
2025, and annually thereafter for four years, the Chair-
man of the Joint Chiefs of Staff, in coordination with the
Under Secretary of Defense for Acquisition and
Sustainment, shall provide a report to the congressional
defense committees on the use of the authority under this
section for the previous fiscal year. The report shall in-
clude a summary of each instance of the authority being
used, including—
(1) the combatant command initiating the action or actions;

(2) the supporting HCA or HCAs; and

(3) the specific actions requested, including the contract performer and value of contracting action.

SEC. 812. EXTENSION AND REVISIONS TO NEVER CONTRACT WITH THE ENEMY.


(1) by striking the section heading and inserting “THREAT MITIGATION IN COMMERCIAL SUPPORT TO OPERATIONS”;

(2) in subsection (a)—

(A) by striking the subsection heading and inserting “PROGRAM ESTABLISHED”;

(B) by striking “and in consultation with the Secretary of State” and all that follows through the period at the end and inserting “and the Secretary of State, establish a program to enable combatant commanders to identify and manage risks introduced by covered persons and entities providing commercial support to military operations. The Secretary of
Defense shall publish policy establishing this program with responsibilities for program execution and oversight and procedures for use of available intelligence, security, and law enforcement information to identify threats and employment of a range of strategies, including the covered procurement actions described in this section, to manage risks posed by covered persons and entities that are engaged in covered activities.”;

(3) by amending subsection (b) to read as follows:

“(b) Authority.—

“(1) Identification.—The combatant commander shall identify covered persons or entities engaged in covered activities through the program established under subsection (a). Upon identification of a covered person or entity, combatant commanders, or their designated deputies, shall notify and provide rationale for such an identification to the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Intelligence and Security, and the Under Secretary of Defense for Policy.

“(2) Covered procurement actions.—
“(A) IN GENERAL.—The head of a contracting activity may exercise a covered procurement action on a covered persons or entity.

“(B) LIMITATION ON COVERED PROCUREMENT ACTIONS.—The head of a contracting activity may exercise a covered procurement action only after receiving a notification and recommendation from the Under Secretary of Defense for Acquisition and Sustainment, based on a risk assessment by the identifying combatant commander, that states that—

“(i) the person or entity identified by the combatant commander meets the criteria for a covered person or entity and was or is actively engaged in one or more covered activities; and

“(ii) less intrusive measures are not reasonably available to manage the risk.”;

(4) by amending subsection (c) to read as follows:

“(c) NOTIFICATION TO COVERED PERSON OR ENTITY.—

“(1) ADVANCE NOTICE.—Contracting activities shall notify covered persons and entities through
covered solicitations and contracts, grants, or cooperative agreements of the following matters:

“(A) The program established under subsection (a).

“(B) The authorities established under subsection (b).

“(C) The responsibilities of covered persons or entities to exercise due diligence to mitigate their engagement in covered activities.

“(2) NOTICE OF COVERED PROCUREMENT ACTIONS.—

“(A) IN GENERAL.—Upon exercising a covered procurement action, the head of a contracting activity shall notify the covered person or entity of the action. The covered person or entity shall be permitted the opportunity to challenge the covered procurement action by requesting an administrative review of the action under the procedures of the Department of Defense not later than 30 days after receipt of notice of the action.

“(B) LIMITATION ON DISCLOSURE OF INFORMATION.—Full disclosure of information to a covered person or entity justifying an identification made under subsection (b)(1) or a cov-
erred procurement action need not be provided
when such a disclosure would compromise na-
tional security or would pose an unacceptable
threat to personnel of the United States or
partners and allies.

“(C) PROTECTION OF CLASSIFIED INFOR-
MATION.—Classified information relied upon to
exercise a covered procurement action may not
be disclosed to a covered person or entity, or to
their representatives, unless a protective order
issued by a court of competent jurisdiction es-
tablished under article I or article III of the
Constitution of the United States specifically
addresses the conditions under which such clas-
sified information may be disclosed.”;

(5) by amending subsection (d) to read as fol-

ows:

“(d) COVERED PROCUREMENT ACTION REPORT-
ING.—All covered procurement actions shall be reported
to the Under Secretary of Defense for Acquisition and
Sustainment and reported in the Federal Awardee Per-
formance and Integrity Information System (FAPPIIS) or
other formal systems or record. Exclusions shall also be
reported in the System for Award Management (SAM).”;}
(6) by amending subsection (e) to read as follows:

“(e) **ANNUAL REVIEW.**—The Secretary of Defense, in coordination with the Director of National Intelligence and the Secretary of State, shall, on an annual basis, review the lists of persons and entities having been subject to a covered procurement action under subsection (b)(2) to determine whether or not such persons and entities continue to warrant use of the covered procurement action.”;

(7) by amending subsection (f) to read as follows:

“(f) **WAIVER.**—The Secretary of Defense, in conjunction with the Secretary of State, may grant a waiver for actions taken under subsection (b) if it is in the best interest of national security.”;

(8) by amending subsection (g) to read as follows:

“(g) **DELEGATION OF AUTHORITY.**—The authority provided by subsection (b) to make a determination to use a covered procurement action, in whole or in part, may not be delegated below the level of head of contracting activity, or equivalent official for purposes of grants or cooperative agreements.”;

(9) by amending subsection (h) to read as follows:
“(h) Updating Regulations.—The Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement shall be revised to implement the provisions of this subtitle.”;

(10) in subsection (i)—

(A) in paragraph (1)—

(i) by striking “Director of the Office of Management and Budget” and inserting “Secretary of Defense”;  

(ii) by striking “appropriate committees of Congress” and inserting “congressional defense committees”;

(iii) in subparagraph (A)—

(I) by striking “an executive agency exercised the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b)” and inserting “a head of contracting activity exercised a covered procurement action”;  

(II) in clause (i) by striking “executive agency” and inserting “head of contracting activity”;}
(III) in clause (ii), by striking “the action taken” and inserting “exercising the covered procurement action”;

(IV) in clause (iii), by striking “voided or terminated” and inserting “subject to the covered procurement action”; and

(V) in clause (iv)—

(aa) by striking “executive agency in force” and inserting “Department of Defense has” and

(bb) by striking “concerned at the time the contract, grant, or cooperative agreement was terminated or voided” and replacing with “at the time of exercise of the covered procurement action”; and

(iv) in subparagraph (B)—

(I) by striking “an executive agency did not exercise the authority to terminate, void, or restrict a contract, grant, and cooperative agree-
ment pursuant to subsection (c),
based on a notification under sub-
section (b)” and inserting “a head of
contracting activity did not exercise a
covered procurement action following
an identification from a combatant
commander”;

(II) in clause (i), by striking “ex-
cutive agency” and inserting “head
of contracting activity”; and

(III) in clause (ii), by inserting
“covered procurement” before “ac-
tion”; and

(B) in paragraph (2), by striking “Direc-
tor” and inserting “Secretary of Defense”;

(11) by striking subsection (j) and (m) and re-
designating subsections (k), (l), and (n) as sub-
sections (j), (k), and (l), respectively;

(12) in subsection (k), as redesignated by para-
graph (11), by striking “Except as provided in sub-
section (l), the” and inserting “The”; and

(13) in subsection (l), as so redesignated, by
striking “December 31, 2025” and inserting “De-
cember 31, 2033”.

(b) ACCESS TO RECORDS.—Section 842 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking subsections (a) through (c) and inserting the following:

“(a) ADDITIONAL ACCESS TO RECORDS.—The Secretary of Defense may examine any records of persons or entities that have existing contracts with, or are active recipients of a grant or cooperative agreement from, the Department of Defense, including any subcontractors or subgrantees, to the extent necessary to support the program established under section 841 of this Act.

“(b) LIMITATION.—The examination authorized under subsection (a) may only take place after a written determination is made by the contracting officer, informed by a finding from the combatant commander, stating that this examination will support the program established under such section 841, and less intrusive measures are not reasonably available to manage the risk.”.

(c) DEFINITIONS.—Section 843 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is amended—

(1) by striking paragraphs (1), (2), (3), (4), (7), and (9) and redesignating paragraphs (5), (6), and (8) as paragraphs (2), (3), and (6);
(2) by inserting before paragraph (2), as redesignated by paragraph (1) of this section, the following new paragraph:

“(1) COVERED ACTIVITIES.—The term ‘covered activities’ means activities where a covered person or entity is—

“(A) engaging in acts of violence against personnel of the United States or partners and allies;

“(B) providing financing, logistics, training, or intelligence to a person described in subparagraph (A);

“(C) engaging in foreign intelligence activities against the United States or partners and allies;

“(D) engaging in transnational organized crime or criminal activities; or

“(E) engaging in other activities that present a direct or indirect risk to United States or partner and allied missions and forces.”;

(3) in paragraph (2), as so redesignated, by striking “with an estimated value in excess of $50,000 that is performed outside the United States, including its territories and possessions, in
support” and all that follows through the period at
the end and inserting “that is performed outside the
United States, including its territories and posses-
sions.”;

(4) by amending paragraph (3), as so redesign-
nated, to read as follows:

“(3) COVERED PERSON OR ENTITY.—The term
‘covered person or entity’ means any person, cor-
poration, company, limited liability company, limited
partnership, business trust, business association, or
other similar entity outside of the United States or
any foreign reporting company in accordance with
section 5336(a)(11)(A)(ii) of title 31, United States
Code, that is responding to a covered solicitation or
performing work on a covered contract, grant, or co-
operative agreement.”; and

(5) by inserting after paragraph (3), as so re-
designated, the following new paragraphs:

“(4) COVERED PROCUREMENT ACTION.—The
term ‘covered procurement action’ means an action
taken by a head of contracting activity to—

“(A) exclude a person or commercial entity
from award with or without an existing con-
tract, grant, or cooperative agreement;
“(B) terminate an existing contract, grant, or cooperative agreement for default; or

“(C) void in whole or in part an existing contract, grant, or cooperative agreement.

“(5) COVERED SOLICITATION.—The term ‘covered solicitation’ means any Department of Defense solicitation for work for which the place of performance is outside of the United States.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect not later than 180 days after the enactment of this Act, and shall apply to covered solicitations issued and covered contracts, grants, or cooperative agreements (as that term is defined in section 843 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, as amended by subsection (c)) awarded on or after such date, and to task and delivery orders that have been issued on or after such date pursuant to covered contracts, grants, or cooperative agreements that are awarded before, on, or after such date.
SEC. 813. ENHANCEMENT OF DEPARTMENT OF DEFENSE
CAPABILITIES TO PREVENT CONTRACTOR
FRAUD.

(a) WITHHOLDING OF CONTRACTUAL PAYMENTS.—

Subsection (a) of section 4651 of title 10, United States
Code, is amended—

(1) in paragraph (1), by striking “; and” and
inserting a semicolon;

(2) in paragraph (2)—

(A) by striking “clause (1)” and inserting
“paragraph (1)”;

(B) by striking “at least three, but not
more than 10, as determined by the Secretary
or his designee, times the cost incurred by the
contractor in giving gratuities to the officer, of-
ficial, or employee concerned.” and inserting
“of up to 10 percent of the total contract award
amount;”;

(3) by inserting after paragraph (2) the fol-
lowing new paragraphs:

“(3) with respect to a contract that could have
been terminated under paragraph (1) but for the
completion of performance of the contract, the
United States is entitled to exemplary damages as
set forth in paragraph (2); and
“(4) the Secretary of Defense or the Secretary of a military department may, after providing notice to the contractor and pending the determination concerning exemplary damages referred to in paragraph (2), withhold from payments otherwise due to the contractor under any contract between the contractor and the United States an amount not to exceed 10 percent of the total contract award amount.”; and

(4) in the matter following paragraph (4), as added by paragraph (3) of this subsection, by striking “clause (1)” and inserting “paragraph (1)”.

(b) Burden of Proof.—Paragraph (1) of section 4651(a) of title 10, United States Code, as amended by subsection (a) of this section, is further amended by inserting “and by a preponderance of the evidence” after “after notice and hearing”.

SEC. 814. MODIFICATION OF APPROVAL AUTHORITY FOR HIGH DOLLAR OTHER TRANSACTION AGREEMENTS FOR PROTOTYPES.

(a) Amendments Relating to Authority.—Section 4022(a)(2)(C)(i)(I) of title 10, United States Code, is amended by inserting after “subsection (d)” the following: “were met for the prior transaction for the prototype project that provided for the award of the follow-on
production contract or transaction, and the requirements of subsection (f)”.

(b) Amendment Relating to Appropriate Use of Authority.—Section 4022(d) of such title is amended by adding at the end the following new paragraph:

“(3) The requirements of this subsection do not apply to follow-on production contracts or transactions under subsection (f).”.

SEC. 815. MODIFICATIONS TO EARNED VALUE MANAGEMENT SYSTEM REQUIREMENTS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Acquisition and Sustainment shall update appropriate policies related to Earned Value Management (EVM) as follows:

(1) Update subpart 234.2 of the Defense Federal Acquisition Regulation Supplement (DFARS) to exempt all software contracts and subcontracts from EVM requirements.

(2) Update sections 234.201, 234.203, 252.234–7001, and 252.242–7002 of the DFARS—

(A) to increase contract value thresholds associated with requiring EVM on cost or incentive contracts from $20,000,000 to $50,000,000; and
(B) to increase the contract value thresh-
old for the contractor to use an EVM System
from $50,000,000 to $100,000,000.

(b) IMPLEMENTATION.—If the Under Secretary of
Defense for Acquisition and Sustainment is unable to up-
date the regulations specified in subsection (a) before the
deadline specified in such subsection, the Under Secretary
of Defense for Acquisition and Sustainment shall pro-
viding to the Committee on Armed Services of the Senate
and the Committee on Armed Services of the House of
Representatives a briefing explaining the timeline for im-
plementation.

SEC. 816. INVENTORY OF INFLATION AND ESCALATION IN-
DICES.

(a) INVENTORY REQUIRED.—

(1) IN GENERAL.—Not later than September
30, 2024, the Under Secretary of Defense for Acqui-
sition and Sustainment, in coordination with the
Service Acquisition Executives, shall conduct an in-
ventory of inflation and escalation indices currently
used for contracting and pricing purposes across the
Department and make the inventory available as a
resource for all government and industry contracting
and pricing professionals.
(2) ELEMENTS.—The inventory required under paragraph (1)—

(A) shall include indices used for products and indices used for services, including accessibility instructions;

(B) may include relevant indices derived from or leveraged by commercial, academic, or nongovernmental sources; and

(C) shall separately identify indices for which the Department of Defense purchases access.

(b) ASSESSMENT.—As part of the inventory required under subsection (a), the Under Secretary of Defense for Acquisition and Sustainment shall also conduct an assessment of the available inflation and escalation indices in order to determine—

(1) gaps in any available indices where identification or development of new indices may be necessary; and

(2) in instances where there are multiple indices being used—

(A) whether consolidation on a single index or smaller subset of indices is possible or advisable; and
(B) whether commercial, academic, or non-
governmental indices have any comparative ben-
efit or advantage over governmental sources.

(c) Periodic Updates.—The Under Secretary of
Defense for Acquisition and Sustainment shall periodi-
cally, and not less than once every 5 years, review and
update the inventory required under subsection (a).

(d) Guidance.—Not later than March 30, 2025, the
Under Secretary of Defense for Acquisition and
Sustainment, in coordination with the Service Acquisition
Executives, shall issue guidance providing for the con-
sistent application and maintenance of data included in
the inventory required under subsection (a) for use by gov-
ernment contracting and pricing personnel.

SEC. 817. PILOT PROGRAM TO INCENTIVIZE PROGRESS
PAYMENTS.

(a) Pilot Program.—The Under Secretary of De-
fense for Acquisition and Sustainment shall establish and
implement a pilot program to incentivize large business
concerns awarded Department of Defense contracts to
qualify for progress payments up to 10 percentage points
higher than the standard progress payment rate.

(b) Incentives.—The Under Secretary for Acquisi-
tion and Sustainment shall establish clear and measurable
criteria to provide for the payment to contractors of higher
progress payments as described in subsection (a), including meeting one or more of the following criteria:

(1) Adherence to delivery dates for contract end items and contract data requirement lists or compliance with the performance milestone schedule during the preceding fiscal year.

(2) The lack of any open level III or IV corrective action requests.

(3) Acceptability of the contractor’s business systems without significant deficiencies.

(4) Meeting small business subcontracting goals during the preceding fiscal year.

(c) REPORT.—The Under Secretary for Acquisition and Sustainment shall submit to the Committees on Armed Services of the Senate and House of Representatives an annual report on the implementation of the pilot program established under subsection (a), including a comprehensive list of contractors and the contracts that received the increased progress payments.

(d) DEFINITIONS.—In this section:

(1) STANDARD PROGRESS PAYMENT RATE.—The term “standard progress payment rate” refers to the rate of progress payments provided for under section 3804 of title 10, United States Code, and payable in accordance with the applicable provisions
of the Federal Acquisition Regulation and the De-
fense Federal Acquisition Regulation Supplement.

(2) LARGE BUSINESS CONCERNS.—The term “large business concerns” means a business concern that exceeds the small business size code standards established by the Small Business Administration as set forth in part 121 of title 13, Code of Federal Regulations.

(e) SUNSET.—The authority to carry out the pilot program established under subsection (a) shall terminate on January 1, 2026.

SEC. 818. EXTENSION OF PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES.

Section 890 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), as most recently amended by section 818 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, is further amended in subsection (c) by striking “January 2, 2024” and inserting “January 2, 2028”.

SEC. 819. PREVENTING CONFLICTS OF INTEREST FOR DEPARTMENT OF DEFENSE CONSULTANTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall amend the Defense Federal Acquisition Regulation—
(1) to require any entity that provides the services described in North American Industry Classification System (NAICS) code 5416, prior to entering into the Department of Defense contract, to certify that—

(A) neither the entity nor any of its subsidiaries or affiliates hold a contract with one or more covered foreign entities; or

(B) the entity maintains a Conflict of Interest Mitigation Surveillance Plan described under subsection (b) that is auditable by contract oversight entities; and

(2) to restrict Department of Defense contracts from being awarded to an entity that provides the services described under the NAICS code 5416, if the entity or any of its subsidiaries or affiliates are determined, based on the self-certification required under paragraph (1) or other information, to be a contractor of, or otherwise providing services to, a covered foreign entity unless such contractor maintains an enforceable Conflict of Interest Mitigation Surveillance Plan.

(b) CONFLICT OF INTEREST MITIGATION SURVEILLANCE PLAN.—Contractors that are unable to certify under subsection (a)(1)(A) that neither they nor any of
their subsidiaries or affiliates hold a contract with one or more covered foreign entities shall maintain a Conflict of Interest Mitigation Surveillance Plan that is updated annually and shall be provided to applicable contract oversight entities upon request. The plan shall include—

(1) identification of the contracts with the covered foreign entity (or entities) including the specific entity, the dollar value of the contract, and the specific personnel working on the contract;

(2) mitigation measures being taken to prevent conflicts of interest (corporately as well as for individuals working on the contract) that might arise by also supporting Department of Defense contracts; and

(3) notification procedures to the contract oversight entities within 15 days of determining an unmitigated conflict of interest has arisen.

(c) WAIVER.—The Secretary of Defense, or designee, shall have the authority to waive conflicts of interest restrictions under subsection (a) on a case-by-case basis as may be necessary to continue contracting for certain national security requirements. The Secretary of Defense may not delegate such authority to an official below the level of a Presidentially appointed, Senate-confirmed official.
(d) Waiver Notification.—Not later than 30 days after issuing a waiver under subsection (c) of this section, the Secretary of Defense shall provide a written notification to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives regarding the use of such waiver authority. The notification shall include—

(1) the specific justification for providing the waiver;

(2) the covered foreign entity with which the waiver recipient is working which gives rise to the conflict of interest;

(3) the number of bidders on a contract on which the waiver was required;

(4) the number of bidders on a contract for which a waiver would not have been required to have been issued; and

(5) the total dollar value of the contract.

(e) Definitions.—In this section:

(1) Covered foreign entity.—The term “covered foreign entity” means any of the following:

(A) The Government of the People’s Republic of China, any Chinese state-owned entity, or other entity under the ownership, or control, directly or indirectly, of the Government of the
People’s Republic of China or the Chinese Communist Party that is engaged in one or more national security industries.

(B) The Government of the Russian Federation, any Russian state-owned entity, or any entity sanctioned by the Secretary of the Treasury under Executive Order 13662 titled “Blocking Property of Additional Persons Contributing to the Situation in Ukraine” (79 Fed. Reg. 16169).

(C) The government or any state-owned entity of any country if the Secretary of State determines that such government has repeatedly provided support for acts of international terrorism pursuant to—

(i) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

(ii) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(iii) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(iv) any other provision of law.
(D) Any entity included on any of the following lists maintained by the Department of Commerce:

(i) The Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.

(ii) The Denied Persons List as described in section 764.3(a)(2) of the Export Administration Regulations.

(iii) The Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.


(2) CONTRACT OVERSIGHT ENTITIES.—The term “contract oversight entities” means any of the following:

(A) The contracting officer.

(B) The contracting officer representative.

(C) The Defense Contract Management Agency.

(E) The Office of Inspector General (OIG) of the Department of Defense or any subcomponent of OIG.

(F) The Government Accountability Office.

SEC. 820. PROHIBITION ON REQUIRING DEFENSE CONTRACTORS TO PROVIDE INFORMATION RELATING TO GREENHOUSE GAS EMISSIONS.

(a) Definitions.—In this section:

(1) Greenhouse gas.—The term “greenhouse gas” means—

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) nitrogen trifluoride;

(E) hydrofluorocarbons;

(F) perfluorocarbons; or

(G) sulfur hexafluoride.

(2) Greenhouse gas inventory.—The term “greenhouse gas inventory” means a quantified list of an entity’s annual greenhouse gas emissions.

(3) Nontraditional defense contractor.—The term “nontraditional defense contractor” has the meaning given the term in section 3014 of title 10, United States Code.
(b) Prohibition on Disclosure Requirements.—

(1) Nontraditional defense contractors.—The Secretary of Defense may not require any nontraditional defense contractor recipient of a defense contract to provide a greenhouse gas inventory or to provide any other report on greenhouse gas emissions.

(2) Other than nontraditional defense contractors.—During the two-year period beginning on the date of the enactment of this Act, the Secretary of Defense may not require any other than nontraditional defense contractor recipient of a defense contract to provide a greenhouse gas inventory or to provide any other report on greenhouse gas emissions.

SEC. 821. PROHIBITION ON CONTRACTS FOR THE PROVISION OF ONLINE TUTORING SERVICES BY ENTITIES OWNED BY THE PEOPLE’S REPUBLIC OF CHINA.

(a) In General.—The Secretary of Defense may not, on or after the date of the enactment of this Act, enter into or renew a contract for the provision of online tutoring services by an entity owned or controlled by the Government of the People’s Republic of China.
(b) WAIVER.—

(1) IN GENERAL.—The Secretary may waive the prohibition under subsection (a).

(2) NONDELEGATION.—The Secretary may not delegate the authority to issue a waiver under paragraph (1).

SEC. 822. MODIFICATION OF TRUTHFUL COST OR PRICING DATA SUBMISSIONS AND REPORT.

Section 3705(b)(2)(B) of title 10, United States Code, is amended by striking “should-cost analysis.” and all that follows through “past performance.” and inserting “should-cost analysis and shall identify such offerors that incur a delay greater than 200 days in submitting such cost or pricing data. The Secretary of Defense shall include a public notation on such offerors.”.

Subtitle C—Industrial Base Matters

SEC. 831. DEFENSE INDUSTRIAL BASE ADVANCED CAPABILITIES PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall carry out a pilot program through a public-private partnership to accelerate the scaling, production, and acquisition of advanced defense capabilities determined
by the Under Secretary to be critical to the national
security by creating incentives for investment in do-
mestic small businesses or nontraditional businesses
to create a robust and resilient defense industrial
base.

(2) GOALS.—The goals of the public-private
partnership pilot program are as follows:

(A) To bolster the defense industrial base
through acquisition and deployment of ad-
vanced capabilities necessary to field Depart-
ment of Defense modernization programs and
priorities.

(B) To strengthen domestic defense supply
chain resilience and capacity by investing in in-
novative defense companies.

(C) To leverage private equity capital to
accelerate domestic defense scaling, production,
and manufacturing.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—

(1) IN GENERAL.—In carrying out subsection
(a), the Under Secretary shall enter into one or
more public-private partnerships, consistent with the
phased implementation provided for in subsection
(c), with for-profit persons using the criteria set
forth in paragraph (2).
(2) CRITERIA.—The Under Secretary shall establish criteria for entering into one or more public-private partnerships and shall submit to the congressional defense committees such criteria, which shall not take effect for the purposes of entering into any agreement until 30 days after submission.

(3) OPERATING AGREEMENT.—The Under Secretary and a person or persons with whom the Under Secretary enters a partnership under paragraph (1) shall enter into an operating agreement that sets forth the roles, responsibilities, authorities, reporting requirements, term, and governance framework for the partnership and its operations. Such operating agreements may not take effect until 30 days after they have been submitted to the congressional defense committees.

(c) INVESTMENT OF EQUITY.—

(1) IN GENERAL.—Pursuant to public-private partnerships entered into under subsection (b), a person or persons with whom the Under Secretary has entered into a partnership may invest equity in domestic small businesses or nontraditional businesses consistent with subsection (a), with investments selected based on technical merit, economic value, and the Department’s modernization prior-
ities. The partnership shall require investment in not less than 10 businesses, with no business representing greater than 20 percent of total investment and no capability area exceeding 40 percent of total investment

(2) Authorities.—A person or persons described in paragraph (1) shall have sole authority to operate, manage, and invest.

(d) Loan Guarantee.—

(1) In general.—Pursuant to the authority established under [section ___] the Under Secretary shall provide an up to 80 percent loan guarantee, pursuant to the public-private partnerships entered into under subsection (b), with investment of equity that qualifies under subsection (c) and consistent with the goals set forth under subsection (a)(2).

(2) Pilot program authority.—The temporary loan guarantee authority described under paragraph (1) is exclusively for the public-private partnerships authorized under this section and may not be utilized for other programs or purposes.

(3) Subject to operating agreement.—The loan guarantee under paragraph (1) shall be
subject to the operating agreement entered into under subsection (b)(3).

(4) USE OF FUNDS.—Obligations incurred by the Under Secretary under this paragraph shall be subject to the availability of funds provided in advance specifically for the purpose of such loan guarantees.

(e) PHASED IMPLEMENTATION SCHEDULE AND REQUIRED REPORTS AND BRIEFINGS.—The program established under subsection (a) shall be carried out in two phases as follows:

(1) PHASE 1.—

(A) IN GENERAL.—Phase 1 shall consist of an initial pilot program with one public-private partnership, consistent with subsection (b), to assess the feasibility and advisability of expanding the scope of the program. The Under Secretary shall begin implementation of phase 1 not later than 180 days after the date of the enactment of this Act.

(B) IMPLEMENTATION SCHEDULE AND FRAMEWORK.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the con-
gressional defense committees on the design of phase 1. The plan shall include—

(i) an overview of, and the activities undertaken, to execute the public-private partnership;

(ii) a description of the advanced capabilities and defense industrial base areas under consideration for investment;

(iii) an overview of the operating agreement described in subsection (b)(3);

and

(iv) implementation milestones and metrics.

(C) REPORT AND BRIEFING REQUIRED.—Not later than 27 months after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the implementation of this section and the feasibility and advisability of expanding the scope of the pilot program. The report and briefing shall include, at minimum—

(i) an overview of program performance, and implementation and execution milestones and outcomes;
(ii) an overview of progress in—

(I) achieving new products in production aligned with Department of Defense needs;

(II) scaling businesses aligned to targeted industrial base and capability areas;

(III) generating defense industrial base job growth;

(IV) increasing supply chain resilience and capacity; and

(V) enhancing competition on advanced capability programs;

(iii) an accounting of activities undertaken and outline of the opportunities and benefits of expanding the scope of the pilot program; and

(iv) a recommendation by the Secretary regarding the feasibility and desirability of expanding the pilot program.

(2) PHASE 2.—

(A) IN GENERAL.—Not later than 30 months after the date of the enactment of this Act, the Secretary may expand the scope of the phase 1 pilot program with the ability to in-
crease to not more than three public-private partnerships, consistent with subsection (b).

(B) REPORT AND BRIEFING REQUIRED.—Not later than five years after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the outcomes of the pilot program under subsection (a), including the elements described in paragraph (1)(C), and the feasibility and advisability of making the program permanent.

(f) TERMINATION.—The authority to enter into an agreement to carry out the pilot program under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) DOMESTIC BUSINESS.—The term “domestic business” has the meaning given the term “U.S. business” in section 800.252 of title 31, Code of Federal Regulations, or successor regulation.

(2) DOMESTIC SMALL BUSINESSES OR NON-TRADITIONAL BUSINESSES.—The term “domestic small businesses or nontraditional businesses” means—
(A) a small business that is a domestic business; or
(B) a nontraditional business that is a domestic business.

(3) NONTRADITIONAL BUSINESS.—The term “nontraditional business” has the meaning given the term “nontraditional defense contractor” in section 3014 of title 10, United States Code.

(4) SMALL BUSINESS.—The term “small business” has the meaning given the term “small business concern” in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 832. DEPARTMENT OF DEFENSE NOTIFICATION OF CERTAIN TRANSACTIONS.

(a) IN GENERAL.—The parties to a covered transaction required to file the notification and provide supplementary information to the Department of Justice or the Federal Trade Commission under section 7A of the Clayton Act (15 U.S.C. 18a) shall concurrently provide such information to the Department of Defense during the waiting period under section 7A of the Clayton Act (15 U.S.C. 18a).

(b) DEFINITIONS.—In this section:

(1) COVERED TRANSACTION.—The term “covered transaction” means an actual or proposed
merger, acquisition, joint venture, strategic alliance, or investment—

(A) for which the parties are required to file a notification under section 7A of the Clayton Act (15 U.S.C. 18a); and

(B) any party to which is, owns, or controls a major defense supplier.

(2) MAJOR DEFENSE SUPPLIER.—The term “major defense supplier” means—

(A) a current prime contractor of a major defense acquisition program as defined in chapter 201 of title 10, United States Code;

(B) a current prime contractor of a middle tier acquisition as defined pursuant to section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 882);

(C) a current prime contractor of a software acquisition program described under section 800 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1478);

(D) a current prime contractor of a defense business system as defined in section 2222 of title 10, United States Code; or
(E) a current prime contractor of a service contract with the Department of Defense, as defined in part 237 of the Defense Federal Acquisition Regulation Supplement, above the simplified acquisition threshold.

SEC. 833. ANALYSES OF CERTAIN ACTIVITIES FOR ACTION TO ADDRESS SOURCING AND INDUSTRIAL CAPACITY.

(a) Analysis Required.—

(1) In general.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials, shall review the items under subsection (c) to determine and develop appropriate actions, consistent with the policies, programs, and activities required under subpart I of part V of subtitle A of title 10, United States Code, chapter 83 of title 41, United States Code, and the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and non-availability of suppliers, including restricting procurement to—

(i) suppliers in the United States;
(ii) suppliers in the national technology and industrial base (as defined in section 4801 of title 10, United States Code);

(iii) suppliers in other allied nations;
or

(iv) other suppliers;

(B) increasing investment through use of research and development or procurement activities and acquisition authorities to—

(i) expand production capacity;

(ii) diversify sources of supply; or

(iii) promote alternative approaches for addressing military requirements;

(C) prohibiting procurement from selected sources or nations;

(D) taking a combination of actions described under subparagraphs (A), (B), and (C);
or

(E) taking no action.

(2) CONSIDERATIONS.—The analyses conducted pursuant to paragraph (1) shall consider national security, economic, and treaty implications, as well as impacts on current and potential suppliers of goods and services.
(b) Reporting on Analyses, Recommendations, and Actions.—

(1) Briefing required.—Not later than January 15, 2025, the Secretary of Defense shall submit to the congressional defense committees, in writing—

(A) a summary of the findings of the analyses undertaken for each item pursuant to subsection (a);

(B) relevant recommendations resulting from the analyses; and

(C) descriptions of specific activities undertaken as a result of the analyses, including schedule and resources allocated for any planned actions.

(2) Reporting.—The Secretary of Defense shall include the analyses conducted under subsection (a), and any relevant recommendations and descriptions of activities resulting from such analyses, as appropriate, in each of the following during the 2025 calendar year:

(A) The annual report or quarterly briefings to Congress required under section 4814 of title 10, United States Code.
(B) The annual report on unfunded priorities of the national technology and industrial base required under section 4815 of such title.

(C) Department of Defense technology and industrial base policy guidance prescribed under section 4811(c) of such title.

(D) Activities to modernize acquisition processes to ensure the integrity of the industrial base pursuant to section 4819 of such title.

(E) Defense memoranda of understanding and related agreements considered in accordance with section 4851 of such title.

(F) Industrial base or acquisition policy changes.

(G) Legislative proposals for changes to relevant statutes which the Department shall consider, develop, and submit to the Committees on Armed Services of the Senate and the House of Representatives not less frequently than once per fiscal year.

(H) Other actions as the Secretary of Defense determines appropriate.
(c) **List of Goods and Services for Analyses, Recommendations, and Actions.**—The items described in this subsection are the following:

1. Traveling Wave Tubes and Traveling Wave Tube Amplifiers.

**SEC. 834. PILOT PROGRAM ON CAPITAL ASSISTANCE TO SUPPORT DEFENSE INVESTMENT IN THE INDUSTRIAL BASE.**

(a) **In General.**—The Secretary of Defense may carry out a pilot program under this section to use capital assistance to support the duties and elements of sections 901 and 907.

(b) **Eligibility and Application Process.**—

1. **In General.**—An eligible entity seeking capital assistance for an eligible investment under this section shall submit to the Secretary of Defense an application at such time, in such manner, and containing such information as the Secretary may require.

2. **Selection of Investments.**—The Secretary shall establish criteria for selecting among eligible investments for which applications are submitted under subsection (c)(2). The criteria shall include—
(A) the extent to which an investment supports the national security of the United States;
(B) the likelihood that capital assistance provided for an investment would enable the investment to proceed sooner than the investment would otherwise be able to proceed; and
(C) the creditworthiness of an investment.

(c) Capital Assistance.—

(1) Loans and Loan Guarantees.—

(A) In general.—The Secretary may provide loans or loan guarantees to finance or refinance the costs of an eligible investment selected pursuant to subsection (b)(2).

(B) Administration of Loans.—

(i) Interest rate.—

(I) In general.—Except as provided under subclause (II), the interest rate on a loan provided under subparagraph (A) shall be not less than the yield on marketable United States Treasury securities of a similar maturity to the maturity of the loan on the date of execution of the loan agreement.
(II) Exception.—The Secretary may waive the requirement under subclause (I) with respect to an investment if the investment is determined by the Secretary of Defense to be vital to the national security of the United States.

(III) Criteria.—The Secretary shall establish separate and distinct criteria for interest rates for loan guarantees with private sector lending institutions.

(ii) Final Maturity Date.—The final maturity date of a loan provided under subparagraph (A) shall be not later than 50 years after the date of substantial completion of the investment for which the loan was provided.

(iii) Prepayment.—A loan provided under subparagraph (A) may be paid earlier than is provided for under the loan agreement without a penalty.

(iv) Nonsubordination.—

(I) In General.—A loan provided under subparagraph (A) shall
not be subordinated to the claims of any holder of investment obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

(II) EXCEPTION.—The Secretary may waive the requirement under subclause (I) with respect to the investment in order to mitigate risks to loan repayment.

(v) SALE OF LOANS.—The Secretary may sell to another entity or reoffer into the capital markets a loan provided under subparagraph (A) if the Secretary determines that the sale or reoffering can be made on favorable terms.

(vi) LOAN GUARANTEES.—Any loan guarantee provided under subparagraph (A) shall specify the percentage of the principal amount guaranteed. If the Secretary determines that the holder of a loan guaranteed by the Department of Defense defaults on the loan, the Secretary shall pay the holder as specified in the loan guarantee agreement.
(vii) INVESTMENT-GRADE RATING.—

The Secretary shall establish a credit rating system to ensure a reasonable reassurance of repayment. The system may include use of existing credit rating agencies where appropriate.

(viii) TERMS AND CONDITIONS.—

Loans and loan guarantees provided under subparagraph (A) shall be subject to such other terms and conditions and contain such other covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines appropriate.

(ix) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Loans and loan guarantees provided under subparagraph (A) shall be subject to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) EQUITY INVESTMENTS.—

(A) IN GENERAL.—The Secretary may, as a minority investor, support an eligible investment selected pursuant to subsection (b)(2) with funds or use other mechanisms for the
purpose of purchasing, and may make and fund 
commitments to purchase, invest in, make 
pledges in respect of, or otherwise acquire, eq-
uity or quasi-equity securities (such as war-
rants), or shares or financial interests of the el-
igible entity receiving support for the eligible in-
vestment, including as a limited partner or 
other investor in investment funds, upon such 
terms and conditions as the Secretary may de-
termine.

(B) Sales and liquidation of posi-
tion.—The Secretary shall seek to sell and liq-
uidate any support for an investment provided 
under subparagraph (A) as soon as commer-
cially feasible, commensurate with other similar 
investors in the investment and taking into con-
sideration the national security interests of the 
United States.

(3) Technical assistance.—Subjection to 
Appropriations acts, the Secretary may provide tech-
nical assistance with respect to developing and fi-
nancing investments to eligible entities seeking cap-
ital assistance for eligible investments and eligible 
entities receiving capital assistance under this sec-
tion.
(4) Terms and Conditions.—

(A) Amount of Capital Assistance.—
The Secretary shall provide to an eligible investment selected pursuant to subsection (b)(2) the amount of assistance necessary to carry out the investment.

(B) Use of United States Dollars.—
All financial transactions conducted under this section shall be conducted in United States dollars.

(d) Establishment of Accounts.—

(1) Credit Program Account.—

(A) Establishment.—There is established in the Treasury of the United States a Department of Defense Credit Program Account to execute loans and loan guarantees in accordance with section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(B) Funding.—The Credit Program Account shall consist of amounts appropriated pursuant to the authorization of appropriations and fees collected pursuant to subparagraph (C).

(C) Fee Authority.—The Secretary may charge and collect fees for providing capital as-
sistance in amounts to be determined by the Secretary. The Secretary shall establish the amount of such fees in regulations at an amount sufficient to cover but not exceed the administrative costs to the Office of providing capital assistance.

(2) **EQUITY ACCOUNT.**

(A) **ESTABLISHMENT.**—There is established in the Treasury of the United States a Department of Defense Strategic Capital Equity Account.

(B) **FUNDING.**—The Strategic Capital Equity Account shall consist of all amounts appropriated pursuant to the authorization of appropriations.

(3) **USE OF FUNDS.**—Subject to appropriations Acts, the Secretary is authorized to pay, from the Department of Defense Credit Program Account or the Department of Defense Strategic Capital Equity Account—

(A) the cost, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), of loans and loan guarantees and other capital assistance;
(B) administrative expenses associated with activities under this section;

(C) project-specific transaction costs;

(D) the cost of providing support authorized by this section; and

(E) the costs of equity investments.

(e) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section. The Secretary may not exercise the authorities available under this section until such time as these regulations have been issued and adopted by the Department.

(f) ANNUAL REPORT.—Not later than the first Monday in February of a fiscal year, the Secretary of Defense shall submit to the congressional defense committees an annual report describing activities carried out pursuant to this section in the preceding fiscal year and the goals of the Department of Defense in accordance with this section for the next fiscal year.

(g) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall notify the congressional defense committees not later than 30 days after a use of loans, loan guarantees, equity investments, insurance, or reinsurance under this section.
(h) SUNSET.—The authorities provided under this section shall expire on October 1, 2028.

(i) DEFINITIONS.—In this section:

(1) CAPITAL ASSISTANCE.—The term “capital assistance” means loans, loan guarantees, equity investments, insurance and reinsurance, or technical assistance provided under subsection (e).

(2) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) an individual;

(B) a corporation, including a limited liability corporation;

(C) a partnership, including a public-private, limited, or general partnership;

(D) a joint venture, including a strategic alliance;

(E) a trust;

(F) a State of the United States, including a political subdivision or any other instrumentality of a State;

(G) a Tribal government or consortium of Tribal governments;

(H) any other governmental entity or public agency in the United States, including a spe-
cial purpose district or public authority, includ-
ing a port authority; or

(I) a multi-State or multi-jurisdictional
group of public entities within the United
States.

(3) **ELIGIBLE INVESTMENT.**—The term “eligible
investment” means an investment that facilitates
the efforts of the Office—

(A) to identify, accelerate, and sustain the
establishment, research, development, construc-
tion, procurement, leasing, consolidation, alter-
ation, improvement, or repair of tangible and
intangible assets vital to national security; or

(B) to protect vital tangible and intangible
assets from theft, acquisition, and transfer by
adversaries of the United States.

(4) **OBLIGOR.**—The term “obligor” means a
party that is primarily liable for payment of the
principal of or interest on a loan.

**SEC. 835. REQUIREMENT TO BUY CERTAIN SATELLITE COM-
ponents FROM NATIONAL TECHNOLOGY
AND INDUSTRIAL BASE.**

(a) **IN GENERAL.**—Section 4864(a) of title 10,
United States Code, is amended by adding at the end the
following new paragraph:
“(6) TRAVELING-WAVE TUBE AND TRAVELING WAVE TUBE AMPLIFIERS.—A traveling-wave tube and traveling wave tube amplifier, that meets established technical and reliability requirements, used in a satellite weighing more than 400 pounds whose principle purpose is to support the national security, defense, or intelligence needs of the United States Government.”.

(b) EXCEPTION.—Paragraph (6) of section 4864(a) of title 10, United States Code, as added by subsection (a), shall not apply with respect to programs that received Milestone A approval (as defined in section 2431a of such title) before October 1, 2022.

(c) CLARIFICATION OF DELEGATION AUTHORITY.—
Subject to subsection (i) of section 4864 of title 10, United States Code, the Secretary of Defense may delegate to a service acquisition executive the authority to make a waiver under subsection (d) of such section with respect to the limitation under subsection (a)(6) of such section, as added by subsection (a) of this section.

Subtitle D—Small Business Matters
SEC. 841. AMENDMENTS TO DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

Section 4061 of title 10, United States Code, is amended—
(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “to enable and assist small businesses” after “merit-based program”;

(ii) by striking “fielding of technologies” and inserting “commercialization of various technologies, including critical technologies”; and

(iii) by inserting “capabilities developed through competitively awarded prototype agreements” after “defense laboratories,”; and

(B) in paragraph (2), by inserting “support full-scale integration,” after “evaluation outcomes,”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “primarily major defense acquisition programs, but also other” after “candidate proposals in support of”; and

(B) in paragraph (2), by striking “by each military department” and inserting “by each component small business office of each military department”; and
(3) in subsection (d)(2), by striking “$3,000,000” and inserting “$6,000,000”.

SEC. 842. DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ PROGRAM.

Section 4902(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

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

(3) by striking “Before providing assistance” and inserting “(1) Before providing assistance”; and

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

“(2) An agreement under this subsection may be a contract, cooperative agreement, or a partnership intermediary agreement.”.

SEC. 843. CONSIDERATION OF THE PAST PERFORMANCE OF AFFILIATE COMPANIES OF SMALL BUSINESSES.

Not later than July 1, 2024, the Secretary of Defense shall amend section 215.305 of the Defense Federal Acquisition Supplement (or any successor regulation) to require that when small business concerns bid on Depart-
ment of Defense contracts, the past performance evaluation and source selection processes shall consider, if relevant, the past performance information of affiliate companies of the small business concerns.

SEC. 844. TIMELY PAYMENTS FOR DEPARTMENT OF DEFENSE SMALL BUSINESS SUBCONTRACTORS.

(a) Reduction in Time for Contractor Explanation and Past Performance Consideration of Unjustified Withholding of Payments to Department of Defense Small Business Subcontractors.—Section 8(d)(13)(B)(i) of the Small Business Act (15 U.S.C. 637(d)(13)(B)(i)) is amended by inserting “, or, for a covered contract awarded by the Department of Defense, more than 30 days past due,” after “90 days past due”.

(b) Clarification That Contracting Officers of the Department of Defense Are Authorized to Enter or Modify Past Performance Information Related to Unjustified Non-payment or Reduced Payment Before or After Contract Close-out.—

Section 8(d)(13)(C) of the Small Business Act (15 U.S.C. 637(d)(13)(C)) is amended—

(1) by striking “A contracting officer” and inserting the following:
“(i) IN GENERAL.—A contracting officer”; and

(2) by adding at the end the following:

“(ii) PAST PERFORMANCE INFORMATION FOR DOD CONTRACTS.—The contracting officer for a covered contract awarded by the Department of Defense may enter or modify past performance information of the prime contractor in connection with the unjustified failure to make a full or timely payment to a subcontractor before or after close-out of the covered contract.”.

(e) DUTY OF COOPERATION TO CORRECT AND MITIGATE UNJUSTIFIED FAILURE BY DEPARTMENT OF DEFENSE PRIME CONTRACTORS TO MAKE FULL OR TIMELY PAYMENTS TO SUBCONTRACTORS.—Section 8(d)(13) of the Small Business Act (15 U.S.C. 637(d)(13)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F);

(2) by inserting after subparagraph (D) the following:

“(E) COOPERATION ON DOD CONTRACTS.—
“(i) IN GENERAL.—If a contracting officer of the Department of Defense determines, with respect to a prime contractor’s past performance, that there was an unjustified failure by the prime contractor on a covered contract awarded by the Department of Defense to make a full or timely payment to a subcontractor covered by subparagraph (B) or (C), such prime contractor is required to cooperate with the contracting officer, who shall consult with the Director of Small Business Programs or Director of Small and Disadvantaged Business Utilization acting pursuant to section 15(k)(6) and other representatives of the Department of Defense, with regards to correcting and mitigating such unjustified failure to make a full or timely payment to the subcontractor.

“(ii) PERIOD.—The duty of cooperation under this subparagraph continues until the subcontractor is made whole or the contracting officer’s determination is no longer effective, and regardless of per-
formance or close-out status of the covered contract.”; and

(3) in subparagraph (D), by striking “subpara-
graph (E)” and inserting “subparagraph (F)”.

(d) APPLICABILITY.—The amendments made by this
section shall apply to any covered contract (as defined in
637(d)(13)(A)) that is entered into or modified by the De-
partment of Defense on or after the date of enactment
of this Act.

SEC. 845. EXTENSION OF PILOT PROGRAM FOR STREAM-
LINED TECHNOLOGY TRANSITION FROM THE
SBIR AND STTR PROGRAMS OF THE DEPART-
MENT OF DEFENSE.

Section 1710(e) of the National Defense Authoriza-
tion Act for Fiscal Year 2018 (Public Law 115–91) is
amended by striking “September 30, 2023” and inserting
“September 30, 2028”.

SEC. 846. ANNUAL REPORTS REGARDING THE SBIR PRO-
GRAM OF THE DEPARTMENT OF DEFENSE.

Section 279(a) of the William M. (Mac) Thornberry
National Defense Authorization Act for Fiscal Year 2021
(Public Law 116–283; 134 Stat. 3507) is amended by
striking “each fiscal years 2021, 2022, and 2023” and
replacing with “each fiscal year through fiscal year 2028”.
SEC. 847. MODIFICATIONS TO THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

(a) DEFINITIONS.—Section 4951 of title 10, United States Code, is amended—

(1) in paragraph (1)(C), by striking “private, nonprofit organization” and inserting “nonprofit organization”; and

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

“(5) The term ‘business entity’ means a corporation, association, partnership, limited liability company, limited liability partnership, consortia, not-for-profit, or other legal entity.”.

(b) COOPERATIVE AGREEMENTS.—Section 4954 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(B) by inserting “(1)” before “Under”; and

(C) by adding at the end the following new paragraph:

“(2) The Secretary shall have the ability to waive or modify the percentages specified in paragraph (1), on a case-by-case basis, if the Secretary determines that it would be in the best interest of the program.”;
(2) by striking subsection (c) and redesignating subsections (d), (e), and (f) as subsections (e), (f), and (h); and

(3) by inserting after subsection (f), as redesignated by paragraph (2), the following new subsection:

“(g) Waiver of Government Cost Share Restriction.—If the Secretary of Defense determines it to be in the best interests of the Federal Government, the Secretary may waive the restrictions on the percentage of eligible costs covered by the program under section (b). The Secretary shall submit to the congressional defense committees a written justification for such determination.”.

(c) Authority to Provide Certain Types of Technical Assistance.—Section 4958(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “; and” and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraphs:

“(3) under clause 252.204-7012 of the Defense Acquisition Regulation Supplement, or any successor
regulation, and on compliance with those requirements (and any successor requirements); and

“(4) under section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1505), and on compliance with those requirements (and any such successor requirements).”.

SEC. 848. EXTENSION OF PILOT PROGRAM TO INCENTIVIZE CONTRACTING WITH EMPLOYEE-OWNED BUSINESSES.

Section 874 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 3204 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “and prescribe regulations” after “establish a pilot program”; and

(B) in paragraph (3), by striking “A qualified” and inserting “Each contract held by a qualified”;

(2) in subsection (c)(2), by striking “expended on subcontracts, subject to such necessary and reasonable waivers” and inserting the following: “expended on subcontracts, except—
“(A) to the extent subcontracted amounts exceeding 50 percent are subcontracted to other qualified businesses wholly-owned through an Employee Stock Ownership Plan;

“(B) in the case of contracts for products, to the extent subcontracted amounts exceeding 50 percent are for materials not available from another qualified business wholly-owned through an Employee Stock Ownership Plan; or

“(C) pursuant to such necessary and reasonable waivers”; and

(3) in subsection (e), by striking “five years after” and inserting “eight years after”.

Subtitle E—Other Matters

SEC. 861. LIMITATION ON THE AVAILABILITY OF FUNDS PENDING A PLAN FOR IMPLEMENTING THE REPLACEMENT FOR THE SELECTED ACQUISITION REPORTING SYSTEM.

Of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-Wide, for travel for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 85 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees a plan for implementing the replacement for the Selected
Acquisition Reporting system as required by section 809 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), including—

(1) a timeline and process for implementing the requirements of such section 809;

(2) a timeline and process for implementing quarterly reporting versus annually for the replacement system, including identification of policy, procedural, or technical challenges to implementing that reporting periodicity;

(3) a timeline and process for providing access to the replacement reporting system to congressional staff; and

(4) a timeline and process for providing access to the replacement reporting system to the Government Accountability Office, the public, and other relevant stakeholders.

SEC. 862. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPONS SYSTEMS CONTRACTORS.

Section 883 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 4292 note prec.) is amended—
(1) in subsection (a), by striking “seven-year pilot program” and inserting “eight-year pilot program”; and

(2) in subsection (g), by striking “seven years” and inserting “eight years”.

SEC. 863. MODIFICATION OF EFFECTIVE DATE FOR EXPANSION ON THE PROHIBITION ON ACQUIRING CERTAIN METAL PRODUCTS.

Section 844(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3766) is amended by striking “5 years” and inserting “6 years”.

SEC. 864. FOREIGN SOURCES OF SPECIALTY METALS.

Section 4863(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

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

(3) by inserting “(1)” before “Subsection (a)(1)”;

(4) by adding at the end the following new paragraph:
“(2) Any specialty metal procured as mill product or incorporated into a component other than an end item pursuant to this subsection shall be melted or produced—

“(A) in the United States;

“(B) in the country from which the mill product or component is procured; or

“(C) in another country covered under paragraph (1)(A)(ii).”.

SEC. 865. UNIVERSITY AFFILIATED RESEARCH CENTER FOR CRITICAL MINERALS.

(a) Plan to Establish a University Affiliated Research Center for Critical Minerals.—

(1) In general.—The Secretary of Defense, in consultation with the Under Secretary of Defense for Research and Engineering, shall develop a plan to establish a new University Affiliated Research Center (UARC), or to expand a current relevant UARC or consortia of universities, for the purposes of contributing to the capacity of the Department to conduct research, development, engineering or workforce expansion related to critical minerals for national security needs. The plan should focus on institutional capacity at a mining school or schools with expertise in engineering, applied research, commer-
cial and workforce development activities related to critical minerals.

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

(A) An assessment of the engineering, applied research, commercialization, and workforce development capabilities relating to critical minerals of mining schools, including an assessment of the workforce and physical research infrastructure of such schools.

(B) An assessment of the ability of mining schools—

(i) to participate in defense-related engineering, applied research, commercialization, and workforce development activities relating to critical minerals;

(ii) to effectively compete for defense-related engineering, applied research, commercialization, and workforce development contracts and grants; and

(iii) to support the mission of the Under Secretary to extend the capabilities of current war fighting systems, develop breakthrough capabilities, hedge against an uncertain future through a set of scientific
and engineering options, and counter strategic surprise.

(C) An assessment of the activities and investments necessary—

(i) to augment facilities or educational programming at mining schools or a consortium of mining schools—

(I) to support the mission of the Under Secretary;

(II) to access, secure, and conduct research relating to sensitive or classified information; and

(III) to respond quickly to emerging engineering, applied research, commercialization, and workforce needs relating to critical minerals.

(ii) to increase the participation of mining schools in defense-related engineering, applied research, commercialization, and workforce development activities; and

(iii) to increase the ability of mining schools to effectively compete for defense-related engineering, applied research, com-
mmercialization, and workforce development contracts and grants.

(D) Recommendations identifying actions that may be taken by the Secretary, the Under Secretary, Congress, mining schools, and other organizations to increase the participation of mining schools in defense-related engineering, applied research, commercialization, and workforce development activities, contracts, and grants.

(E) The specific goals, incentives, and metrics developed by the Secretary under subparagraph (D) to increase and measure the capacity of mining schools to address the engineering, applied research, commercialization, and workforce development needs of the Department of Defense.

(3) CONSULTATIONS.—In developing the plan required by paragraph (1), the Secretary and the Under Secretary shall consult with such other public and private sector organizations as the Secretary and the Under Secretary determine appropriate.

(4) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall—
(A) submit to the congressional defense committees a report that includes the plan developed under paragraph (1); and

(B) make the plan available on a publicly accessible website of the Department of Defense.

(b) Activities to Support the Engineering, Applied Research, Commercialization, and Workforce Development Capacity of Mining Schools.—

(1) In general.—Subject to the availability of appropriations, the Under Secretary may establish a program to award contracts, grants, or other agreements on a competitive basis, and to perform other appropriate activities, for the purposes described in paragraph (2).

(2) Purposes.—The purposes described in this paragraph are the following:

(A) Developing the capability, including workforce and research infrastructure, for mining schools to more effectively compete for Federal engineering, applied research, commercialization, and workforce development funding opportunities.

(B) Improving the capability of mining schools to recruit and retain research faculty,
and to participate in appropriate personnel exchange programs and educational and career development activities.

(C) Any other purposes the Under Secretary determines appropriate for enhancing the defense-related engineering, applied research, commercialization, and development capabilities of mining schools.

(e) **Increasing Partnerships for Mining Schools With National Security Research and Engineering Organizations.**

(1) In general.—Chapter 305 of title 10, United States Code, is amended by adding at the end the following new section:

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§ 4145. Research and educational programs and activities: critical minerals

“(a) Program Established.—

“(1) In general.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering and the Secretary of each military department, shall carry out a program to provide assistance to covered educational institutions to assist the Department of Defense in defense-related critical minerals engineering, applied research,
commercialization, and workforce development activities.

“(2) LIMITATION ON DELEGATION.—The Secretary of Defense may not delegate or transfer to an individual outside the Office of the Secretary of Defense the authority regarding the programming or budgeting of the program established by this section that is carried out by the Under Secretary of Defense for Research and Engineering.

“(b) PROGRAM OBJECTIVE.—The objective of the program established by subsection (a)(1) is to enhance defense-related critical minerals research and education at covered educational institutions. Such objective shall be accomplished through initiatives designed to—

“(1) enhance the critical minerals research and educational capabilities of such institutions in areas of importance to national defense, as determined by the Secretary;

“(2) encourage the participation of such institutions in the research, development, testing, and evaluation programs and activities of the Department of Defense relating to critical minerals;

“(3) increase the number of graduates from such institutions engaged in critical minerals-related disciplines important to the national security func-
tions of the Department of Defense, as determined
by the Secretary; and

“(4) encourage research and educational col-
laborations between such institutions and other in-
stitutions of higher education, Government defense
organizations, and the defense industry relating to
critical minerals.

“(c) Assistance Provided.—Under the program
established under subsection (a)(1), the Secretary of De-
fense may provide covered educational institutions with
funding or technical assistance, including any of the fol-
lowing:

“(1) Support for research, development, testing,
evaluation, or educational enhancements in areas im-
portant to national defense through the competitive
awarding of grants, cooperative agreements, con-
tracts, scholarships, fellowships, or the acquisition of
research equipment or instrumentation.

“(2) Support to assist in the attraction and re-
tention of faculty in scientific disciplines important
to the national security functions of the Department
of Defense.

“(3) Establishing partnerships between such in-
stitutions and defense laboratories, Government de-
fense organizations, the defense industry, and other
institutions of higher education in research, development, testing, and evaluation in areas important to the national security functions of the Department of Defense.

“(4) Other such non-monetary assistance as the Secretary finds appropriate to enhance defense-related research, development, testing, and evaluation activities at such institutions.

“(d) INCENTIVES.—

“(1) IN GENERAL.—The Secretary of Defense may develop incentives to encourage critical minerals-related research and educational collaborations between covered educational institutions and other institutions of higher education.

“(2) GOALS.—The Secretary of Defense shall establish goals and incentives to encourage Federally funded research and development centers, science and technology reinvention laboratories, and University Affiliated Research Centers funded by the Department of Defense—

“(A) to assess the capacity of covered educational institutions to address the critical minerals research and development needs of the Department through partnerships and collaborations; and
“(B) if appropriate, to enter into partnerships and collaborations with such institutions.

“(e) CRITERIA FOR FUNDING.—The Secretary of Defense may establish procedures under which the Secretary may limit funding under this section to institutions that have not otherwise received a significant amount of funding from the Department of Defense for research, development, testing, and evaluation programs supporting the national security functions of the Department.

“(f) DEFINITION OF COVERED EDUCATIONAL INSTITUTION.—

“(1) IN GENERAL.—In this section, the term ‘covered educational institution’ means—

“(A) a mining, metallurgical, geological, or mineral engineering program—

“(i) accredited by the Accreditation Board for Engineering and Technology, Inc.; and

“(ii) located at an institution of higher education; or

“(B) an institution of higher learning or community college with a geology or engineering program or department that has experience in mining research or work with the mining industry.
“(2) INSTITUTION OF HIGHER EDUCATION.—

For purposes of paragraph (1), the term ‘institution of higher education’ has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 305 of such title is amended by adding at the end the following new item:

“4145. Research and educational programs and activities: critical minerals.”.

(d) MINING SCHOOL DEFINED.—

(1) IN GENERAL.—In this section, the term “mining school” means—

(A) a mining, metallurgical, geological, or mineral engineering program—

(i) accredited by the Accreditation Board for Engineering and Technology, Inc.; and

(ii) located at an institution of higher education; or

(B) an institution of higher learning or community college with a geology or engineering program or department that has experience in mining research or work with the mining industry.
(2) INSTITUTION OF HIGHER EDUCATION.—For purposes of paragraph (1), the term “institution of higher education” has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

SEC. 901. ESTABLISHMENT OF OFFICE OF STRATEGIC CAPITAL.

(a) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 148. Office of Strategic Capital

“(a) ESTABLISHMENT.—There is in the Office of the Secretary of Defense an office to be known as the Office of Strategic Capital (in this section referred to as the ‘Office’).

“(b) DIRECTOR.—The Office shall be headed by a Director (in this section referred to as the ‘Director’), who shall be appointed by the Secretary from among employees of the Department of Defense in Senior Executive Service positions (as defined in section 3132 of title 5).
“(c) Duties.—The Office shall—

“(1) develop, integrate, and implement proven capital strategies of partners of the Department of Defense to shape and scale investment in critical technologies and assets;

“(2) identify and prioritize promising critical technologies and assets for the Department in need of capital assistance; and

“(3) fund investments in such technologies and assets, including supply chain technologies not always supported through direct investment.

“(d) Applications.—An eligible entity seeking capital assistance for an eligible investment shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(e) Selection of Investments.—

“(1) In General.—The Director shall establish criteria for selecting among eligible investments for which applications are submitted under subsection (d). Such criteria shall include—

“(A) the extent to which an investment is significant to the national security of the United States;
“(B) the likelihood that capital assistance
provided for an investment would enable the in-
vestment to proceed sooner than the investment
would otherwise be able to proceed; and
“(C) the creditworthiness of an investment.
“(2) NOTICE AND WAIT REQUIREMENT.—The
criteria established under paragraph (1) shall not
apply until—
“(A) the Secretary of Defense submits the
criteria to the congressional defense commit-
tees; and
“(B) a period of 30 days has elapsed after
such submission.
“(f) NOTIFICATION.—Not less than 30 days before
exercising the authority provided by section 834 of the Na-
tional Defense Authorization Act for Fiscal Year 2024,
the Director, in coordination with the Under Secretary of
Defense for Acquisition and Sustainment and the Under
Secretary of Defense for Research and Engineering, shall
notify the congressional defense committees of the purpose
and terms of any capital assistance proposed to be pro-
vided under that section. Such notification may be made
in classified form, if necessary.
“(g) STRATEGIC CAPITAL ADVISORY BOARD.—The
Secretary of Defense shall establish a Strategic Capital
Advisory Board to advise the Director with respect to activities carried out under this section.

“(h) Regulations.—The Secretary shall prescribe such regulations as are necessary to carry out this section, including regulations to ensure internal and external coordination to avoid duplication of effort, reduce inefficiency, and ensure policy coherence across the Department.

“(i) Effective Date.—The authorities made available under this section may not be exercised until the date that is 30 days after the regulations required by subsection (i) have been—

“(1) prescribed and adopted by the Department; and

“(2) submitted to the congressional defense committees.

“(j) Annual Report.—Not later than December 31 of each year, the Director shall submit to the congressional defense committees a report that—

“(1) describes the activities of the Office during the most recent fiscal year ending before submission of the report, including—

“(A) an identification of entities that received capital assistance from the Office during that fiscal year;
“(B) a description of the status of the financial obligations of those entities as a result of receiving such assistance; and

“(C) any success stories as a result of such assistance;

“(2) assesses the status of the finances of the Office as of the end of that fiscal year; and

“(3) describes the goals of the Office for the fiscal year that begins after submission of the report.

“(k) DEFINITIONS.—In this section:

“(1) CAPITAL ASSISTANCE.—The term ‘capital assistance’ means loans, loan guarantees, equity investments, or technical assistance provided under section 834.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an individual;

“(B) a corporation;

“(C) a partnership, including a public-private partnership;

“(D) a joint venture;

“(E) a trust;

“(F) a State, including a political subdivision or any other instrumentality of a State;
“(G) a Tribal government or consortium of Tribal governments;

“(H) any other governmental entity or public agency in the United States, including a special purpose district or public authority, including a port authority; or

“(I) a multi-State or multi-jurisdictional group of public entities.

“(3) ELIGIBLE INVESTMENT.—The term ‘eligible investment’ means an investment that facilitates the efforts of the Office—

“(A) to identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, or repair of tangible and intangible assets vital to United States national security; or

“(B) to protect tangible and intangible assets vital to United States national security from theft, acquisition, and transfer by countries that are adversaries of the United States.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

“148. Office of Strategic Capital.”.
SEC. 902. REINSTATEMENT OF POSITION OF CHIEF MANAGEMENT OFFICER OF DEPARTMENT OF DEFENSE.

(a) Reinstatement of Position.—

(1) In general.—Chapter 4 of title 10, United States Code, is amended by inserting after the item relating to section 132 the following new item:

“§ 132a. Chief Management Officer

“(a) Appointment and Qualifications.—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(2) The Chief Management Officer shall be appointed from among persons who have an extensive management or business background and experience with managing large or complex organizations. A person may not be appointed as Chief Management Officer within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

“(b) Responsibilities.—Subject to the authority, direction, and control of the Secretary of Defense and the Deputy Secretary of Defense, the Chief Management Officer shall perform such duties and exercise such powers as the Secretary or the Deputy Secretary may prescribe, including the following:
“(1) Serving as the chief management officer of
the Department of Defense with the mission of man-
aging enterprise business operations and shared
services of the Department of Defense.

“(2) Serving as the principal advisor to the Sec-
retary and the Deputy Secretary on establishing
policies for, and directing, all enterprise business op-
erations of the Department, including planning and
processes, business transformation, and performance
measurement and management activities and pro-
grams, including the allocation of resources for en-
terprise business operations and unifying business
management efforts across the Department.

“(3) Exercising authority, direction, and control
over the Defense Agencies and Department of De-
fense Field Activities providing shared business serv-
ces for the Department.

“(4) Authority to direct the Secretaries of the
military departments and the heads of all other ele-
ments of the Department with regard to matters for
which the Chief Management Officer has responsi-
bility under this section.

“(5) Serving as the official with principal re-
sponsibility in the Department for minimizing the
duplication of efforts, maximizing efficiency and ef-
fectiveness, and establishing metrics for performance among and for all organizations and elements of the Department.

“(c) BUDGET AUTHORITY.—(1)(A) Beginning in fiscal year 2025, the Secretary of Defense, acting through the Under Secretary of Defense (Comptroller), shall require the head of each Defense Agency and Department of Defense Field Activity (other than such agencies and activities that are under the direction of the Director of National Intelligence or are elements of the intelligence community) to transmit the proposed budget of such Agency or Activity for enterprise business operations for a fiscal year, and for the period covered by the future-years defense program submitted to Congress under section 221 of this title for that fiscal year, to the Chief Management Officer for review under subparagraph (B) at the same time the proposed budget is submitted to the Under Secretary of Defense (Comptroller).

“(B) The Chief Management Officer shall review each proposed budget transmitted under subparagraph (A) and, not later than January 31 of the year preceding the fiscal year for which the budget is proposed, shall submit to the Secretary a report containing the comments of the Chief Management Officer with respect to all such proposed budgets, together with the certification of the Chief
Management Officer regarding whether each such proposed budget achieves the required level of efficiency and effectiveness for enterprise business operations, consistent with guidance for budget review established by the Chief Management Officer.

“(C) Not later than March 31 each year, the Secretary shall submit to Congress a report that includes the following:

“(i) Each proposed budget for the enterprise business operations of a Defense Agency or Department of Defense Field Activity that was transmitted to the Chief Management Officer under subparagraph (A).

“(ii) Identification of each proposed budget contained in the most recent report submitted under subparagraph (B) that the Chief Management Officer did not certify as achieving the required level of efficiency and effectiveness for enterprise business operations.

“(iii) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address inadequate levels of efficiency and effectiveness for enterprise business oper-
ations achieved by the proposed budgets identified in
the report.

“(iv) Any additional comments that the Sec-
retary considers appropriate regarding inadequate
levels of efficiency and effectiveness for enterprise
business operations achieved by the proposed budg-
ets.

“(2) Nothing in this subsection shall be construed to
modify or interfere with the budget-related responsibilities
of the Director of National Intelligence.

“(d) PRECEDENCE.—The Chief Management Officer
takes precedence in the Department of Defense after the
Secretary of Defense and the Deputy Secretary of De-
fense.

“(e) ENTERPRISE BUSINESS OPERATION DE-
FINED.—In this section, the term ‘enterprise business op-
erations’ means those activities that constitute the cross-
cutting business operations used by multiple components
of the Department of Defense, but not those activities that
are directly tied to a single military department or Depart-
ment of Defense component. The term includes business-
support functions designated by the Secretary of Defense
or the Deputy Secretary of Defense for purposes of this
section, such as aspects of financial management,
healthcare, acquisition and procurement, supply chain and
logistics, certain information technology, real property, and human resources operations.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by inserting after the item relating to section 132 the following new item:

“132a. Chief Management Officer.”.

(b) MANAGEMENT AND OVERSIGHT OF DEFENSE BUSINESS SYSTEMS.—Section 2222 of such title is amended—

(1) in subsection (c)(2), by striking “the Chief Information Officer of the Department of Defense” and inserting “the Chief Management Officer of the Department of Defense”; 

(2) in subsection (e)—

(A) in paragraph (1), by striking “the Chief Information Officer” and inserting “the Chief Management Officer”; and

(B) in paragraph (6)—

(i) in subparagraph (A), in the matter preceding clause (i)—

(I) in the first sentence, by striking “The Chief Information Officer of the Department of Defense, in coordination with the Chief Data and Artificial Intelligence Officer,” and insert-
ing “The Chief Management Officer of the Department of Defense”; and

  (II) in the second sentence, by striking “the Chief Information Officer shall” and inserting “the Chief Management Officer shall”;

  (ii) in subparagraph (B), in the matter preceding clause (i), by striking “The Chief Information Officer” and inserting “The Chief Management Officer”;

  (3) in subsection (f)(1), in the second sentence, by inserting “the Chief Management Officer and” after “chaired by”;

  (4) in subsection (g)(2), by striking “the Chief Information Officer of the Department of Defense” each place it appears and inserting “the Chief Management Officer of the Department of Defense”; and

  (5) in subsection (i)(5)(B), by striking “the Chief Information Officer” and inserting “the Chief Management Officer”.

(c) CONFORMING AMENDMENT.—Section 131(b) of title 10, United States Code, is amended by inserting after paragraph (1) the following new paragraph (2):

  “(2) The Chief Management Officer of the Department of Defense.”.
(d) **GUIDANCE REQUIRED.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) issue guidance to clearly delineate the authorities and responsibilities of the Chief Management Officer of the Department of Defense; and

(2) provide a charter for the position of the Chief Management Officer to fully vest the authority of the Chief Management Officer within the Department of Defense.

(e) **REPORT ON EFFECT OF LAPSE IN MANAGEMENT OVERSIGHT ON DEFENSE BUSINESS SYSTEMS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall submit to the congressional defense committees a report on the effect on defense business systems of the abolishment of the position of Chief Management Officer and the failure to reassign the responsibilities of the Chief Management Officer with respect to defense business systems for two years.

(2) **DEFENSE BUSINESS SYSTEM DEFINED.**—In this subsection, the term “defense business system” has the meaning given that term in section 2222(i) of title 10, United States Code.
SEC. 903. MODIFICATION OF RESPONSIBILITIES OF DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.

(a) In General.—Subsection (d) of section 139a of title 10, United States Code, is amended—

(1) in paragraph (5)—

(A) by striking “, ensuring” and inserting “and ensuring”; and

(B) by striking “, and assessing” and all that follows through “economy”; and

(2) in paragraph (8), by inserting after “defense resources” the following: “, including the standardization of analytical methodologies and the establishment and maintenance of a centralized knowledge repository of physical attributes or other data for modeling and simulation purposes”.

(b) Annual Reports.—Such section is amended by adding at the end the following new subsection:

“(e) Annual Reports.—

“(1) In General.—Not later than February 1, 2024, and annually thereafter, the Director shall submit to the congressional defense committees a report on activities to conduct strategic and operational analysis under paragraphs (2), (3), (6), (7), and (8) of subsection (d) that includes—
“(A) a review of strategic portfolio reviews
completed in the fiscal year preceding submission of the report and a description of such reviews planned for the fiscal year that begins after submission of the report;

“(B) a review of analyses of alternatives completed in the fiscal year preceding submission of the report and a description of such analyses planned for the fiscal year that begins after submission of the report; and

“(C) a review of defense program projections completed in the fiscal year preceding submission of the report and a description of such projections planned for the fiscal year that begins after submission of the report.

“(2) FORM.—Each report required by paragraph (1) shall be submitted in classified form, but shall include an unclassified summary.

“(3) BRIEFINGS.—Not later than 15 days after submission of each report required by paragraph (1), the Director shall brief the congressional defense committees on the contents of the report.”.

(e) PROGRAM EVALUATION COMPETITIVE ANALYSIS CELL.—Such section is further amended by adding after
subsection (e), as added by subsection (b), the following new subsection:

“(f) **Program Evaluation Competitive Analysis Cell.**—

“(1) **In general.**—Not later than June 1, 2024, the Secretary of Defense shall—

“(A) establish a team, to be known as the ‘Program Evaluation Competitive Analysis Cell’, to critically assess the analytical methodologies, assumptions, and data used in key strategic and operational analyses conducted by the Director; and

“(B) ensure that the team has a sufficient number of personnel to carry out the duties of the team.

“(2) **Independence.**—The Program Evaluation Competitive Analysis Cell shall be independent of the Director and shall report only to the Secretary of Defense.”.

(d) **Pilot Program on Alternative Analysis.**—

(1) **In general.**—The Director of Cost Assessment and Program Evaluation shall establish a pilot program on alternative analysis.

(2) **Structure.**—The Director shall establish, under the pilot program established under para-
graph (1), three analytical groups, focused on programmatic analysis in the following:

(A) Year 1 of the future-years defense program under section 221 of title 10, United States Code.
(B) Years 2 through 5 of the future-years defense program.
(C) Years outside the future-years defense program.

(3) REQUIREMENTS.—The pilot program established under paragraph (1) shall run at least one strategic portfolio review or equivalent analytical effort per year.

(e) ESTABLISHMENT OF ANALYSIS WORKING GROUP.—

(1) IN GENERAL.—Not later than May 1, 2024, the Secretary of Defense shall—

(A) establish the Analysis Working Group in the Department of Defense; and

(B) ensure that the Analysis Working Group possesses sufficient full-time equivalent support personnel to carry out the duties of the Group.
(2) **Membership.**—The Analysis Working Group shall be composed of representatives of the following components of the Department of Defense:

(A) The Office of the Director of Cost Assessment and Program Evaluation.

(B) The Directorate for Joint Force Development (J7) of the Joint Staff.

(C) The Directorate for Force Structure, Resources, and Assessment (J8) of the Joint Staff.

(D) The Office of the Secretary of Defense for Policy.

(E) The Chief Data and Artificial Intelligence Office.

(F) The Office of the Chief Information Officer.

(G) The United States Indo-Pacific Command.

(H) The United States European Command.

(3) **Duties.**—The Analysis Working Group shall—

(A) establish clear priorities and standards to focus analysts on decision support;
(B) improve transparency of methodologies, tools, and tradecraft across the analytic community, including testing and validation for new or emerging methodologies, tools, and tradecraft;

(C) improve quality of and expand access to data, including evaluation of new data sets, or application of existing data sets in new or novel ways;

(D) evolve the methodologies, tools, and tradecraft methods and tools used in strategic analysis;

(E) resolve classified access and infrastructure challenges;

(F) foster a workforce and organizations that are innovative, creative, and provide high-quality strategic decision support; and

(G) conduct such other tasks as the Secretary of Defense considers appropriate.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to interfere with the requirements of the Chiefs of Staff of the Armed Forces to establish military requirements, performance requirements, and joint performance requirements, or the requirement of the Joint Requirements Oversight Council to validate such re-
quirements under section 181 of title 10, United States Code.

SEC. 904. ROLES AND RESPONSIBILITIES FOR COMPONENTS OF OFFICE OF SECRETARY OF DEFENSE FOR JOINT ALL-DOMAIN COMMAND AND CONTROL IN SUPPORT OF INTEGRATED JOINT WARFIGHTING.

(a) IN GENERAL.—The Secretary of Defense shall establish the roles and responsibilities of components of the Office of the Secretary of Defense for development and delivery to combatant commands of capabilities that are essential to integrated joint warfighting capabilities, as follows:

(1) The Deputy Chief Technology Officer for Mission Capabilities of the Office of the Under Secretary of Defense for Research and Engineering shall be responsible for—

(A) identifying new technology and operational concepts for experimentation and prototyping for delivery to the Joint Force to address key operational challenges;

(B) providing technical support for the Joint Force in exploring and analyzing new capabilities, operational concepts, and systems-of-
systems composition, including through advanced modeling and simulation; and

(C) executing associated experimentation, through the Rapid Defense Experimentation Reserve (RDER) or another mechanism.

(2) The Executive Director for Acquisition, Integration, and Interoperability of the Office of the Under Secretary of Defense for Acquisition and Sustainment shall be responsible for—

(A) enabling the acquisition of cross-domain, joint, and cross-system kill chains and mission capabilities, including resourcing of modifications necessary for integration and interoperability among kill chain and mission components; and

(B) ensuring the effectiveness of cross-domain, joint, and cross-system kill chains and mission capabilities through analysis and testing.

(3) The Chief Digital and Artificial Intelligence Officer shall be responsible for creating and operating a factory-based approach for software development that allows for iterative, secure, and continuous deployment of developmental, prototype, and operational tools and capabilities from multiple ven-
dors to test networks and operational networks for combatant commanders to—
(A) gain operational awareness, make decisions, and take actions;
(B) integrate relevant data sources to support target selection, target prioritization, and weapon-target pairing; and
(C) prosecute targets through military service and combat support agency networks, tools, and systems.

(b) Coordination.—The officials referred to in paragraphs (1), (2), and (3) of subsection (a) shall coordinate and align their plans and activities to implement subsection (a) among themselves and with the combatant commanders.

(e) Initial Prioritization.—In developing an initial set of capabilities described in subsection (a), the officials referred to in paragraphs (1), (2), and (3) of that subsection shall prioritize the requirements of the United States Indo-Pacific Command.

(d) Briefings Required.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter through December 31, 2026, the officials referred to in paragraphs (1), (2), and (3) of subsection (a) shall provide briefings to the congressional defense
committees on their plans and activities to implement sub-
section (a).

(c) REPORT REQUIRED.—Not later than March 1,
2024, the Chief Data and Artificial Intelligence Officer,
in consultation with the Deputy Chief Technology Officer
for Mission Capabilities of the Office of the Under Sec-
retary of Defense for Research and Engineering and the
Executive Director for Acquisition, Integration, and Inter-
operability of the Office of the Under Secretary of Defense
for Acquisition and Sustainment, shall submit to the con-
gressional defense committees a report that includes—

(1) a plan and associated timelines for deploy-
ing and demonstrating a joint data integration layer
prototype in the United States Indo-Pacific Com-
mand area of operations;

(2) a plan and associated timelines for
transitioning such a prototype, upon its successful
demonstration, to fielding as soon as practicable
given the urgent need for a joint all-domain com-
mand and control (commonly referred to as
“JADC2”) capability;

(3) a plan and associated timelines for reaching
initial operational capability for a joint data integra-
tion layer within the United States Indo-Pacific
Command area of operations;
(4) a plan and associated timelines for scaling that capability to future areas of operation across the combatant commands;

(5) an assessment of the required type and number of personnel at the United States Indo-Pacific Command to enable sustained growth in JADC2 capabilities; and

(6) a plan and associated timelines for—

(A) identifying specific critical effects chains necessary to overcome anti-access and area denial capabilities and offensive military operations of foreign adversaries; and

(B) creating, demonstrating, deploying, and sustaining such chains.

SEC. 905. PRINCIPAL DEPUTY ASSISTANT SECRETARIES TO SUPPORT ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.

The Secretary of Defense may appoint two Principal Deputy Assistant Secretaries to report to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict—

(1) one of whom may be assigned to support the Assistant Secretary in the discharge of respon-
sibilities specified in clause (i) of section 138(b)(2)(A) of title 10, United States Code; and

(2) one of whom may be assigned to support the Assistant Secretary in the discharge of responsibilities specified in clause (ii) of that section.

SEC. 906. MODIFICATION OF CROSS-FUNCTIONAL TEAM TO ADDRESS EMERGING THREAT RELATING TO DIRECTED ENERGY CAPABILITIES.

Section 910 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 111 note) is amended—

(1) in the section heading, by striking “ANOMALOUS HEALTH INCIDENTS” and inserting “DIRECTED ENERGY CAPABILITIES”;

(2) in subsection (a), by striking “anomalous health incidents (as defined by the Secretary)” and inserting “emerging directed energy capabilities, including such capabilities that could plausibly result in anomalous health incidents (as defined by the Secretary),”;

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting “to assist the Secretary of Defense” after “shall be”;
(B) by amending paragraph (1) to read as follows:

“(1) to address the threat posed by emerging directed energy capabilities, such as anti-personnel weapons, including the detection and mitigation of, and development of countermeasures for, such capabilities;”;

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(D) by inserting after paragraph (1) the following new paragraph (2):

“(2) to conduct necessary investigation and activities to understand the causation, attribution, mitigation, identification, and treatment for anomalous health incidents;”;

(E) in paragraph (4), as redesignated by subparagraph (C), by striking “any other efforts regarding such incidents” and inserting “with any other efforts regarding emerging directed energy capabilities, hazards of electromagnetic radiation to personnel, and anomalous health incidents”;

(4) in subsection (d), by striking “in consultation with the Director of National Intelligence and”;

and
(5) in subsection (e)(2)—

(A) by striking “March 1, 2026” and inserting “March 1, 2028”; and

(B) by striking “anomalous health incidents” and inserting “emerging directed energy capabilities, including such capabilities that could plausibly result in anomalous health incidents”.

SEC. 907. PILOT PROGRAM ON PROTECTING ACCESS TO CRITICAL ASSETS.

(a) IN GENERAL.—The Secretary of Defense shall establish a pilot program within the Office of the Under Secretary of Defense for Acquisition and Sustainment under which the Under Secretary will conduct and coordinate assessments, support industrial base decision-making, and provide mitigation measures to counter adversarial capital flows into industries or businesses of interest to the Department of Defense intended to undermine or deny—

(1) the access of the United States to key capabilities; or

(2) the ability of the United States to place such capabilities in physical locations necessary for national security functions.

(b) ELEMENTS.—
(1) IN GENERAL.—Under the pilot program re-
quired by subsection (a), the Under Secretary may
perform the following tasks:

(A) Conduct coordinated and integrated
analysis of adversarial capital flows into indus-
tries or businesses of interest to the Depart-
ment of Defense.

(B) Support coordination and outreach
with technology scouting and acquisition ele-
ments of the Department to support the invest-
ment decision-making of those elements and
consideration of how to counteract entities em-
ploying adversarial capital flows against indus-
tries or businesses described in subparagraph
(A), including the employment of relevant au-
thorities vested in other components of the De-
partment and the Federal Government.

(C) Identify, accelerate, and sustain the es-
tablissement, research, development, construc-
tion, procurement, leasing, consolidation, alter-
ation, improvement, modernization, and repair
of tangible and intangible assets vital to the na-
tional security of the United States.

(D) Protect tangible and intangible assets
vital to the national security of the United
States from theft, acquisition, and transfer by
adversaries or strategic competitors of the
United States.

(E) Provide capital assistance to entities
engaged in investments that facilitate the ef-
forts of the Under Secretary under subpara-
graphs (C) and (D) utilizing existing authorities
available to the Department, such as the au-
thority provided under section 834.

(F) Experiment, prototype, test, or vali-
date Government-developed or commercially de-
developed analytical tools, processes, and
tradecraft to improve the due diligence and in-
vestment analysis processes for the Depart-
ment.

(2) USE OF CERTAIN FINANCIAL INSTRU-
MENTS.—The Under Secretary may perform the
tasks described in paragraph (1) using the authori-
ties provided by section 834.

(c) COORDINATION.—In establishing the pilot pro-
gram required by subsection (a), the Secretary shall co-
ordinate the activities being carried out under the pilot
program with the following entities:

(1) The Air Force Office of Concepts, Develop-
ment, and Management.

(3) The Special Operations Command.

(4) The Defense Innovation Unit.

(5) The Office of Strategic Capital established under section 148 of title 10, United States Code, as added by section 901.

(6) Such other entities as the Secretary considers appropriate.

(d) Regulations.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section.

(e) Effective Date.—The Secretary may not carry out activities or exercise authorities under this section until the date that is 30 days after the date on which the Secretary submits to the congressional defense committees the regulations required by subsection (d).

(f) Briefing Required.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary shall provide a briefing to the congressional defense committees that details implementation of the pilot program required by subsection (a).

(g) Termination.—The pilot program required by subsection (a) shall terminate on September 30, 2028.

(h) Definitions.—In this section:
(1) ADVERSARIAL CAPITAL FLOW.—The term “adversarial capital flow” means an investment by—

(A) the government of a country that is an adversary of the United States; or

(B) an entity organized under the laws of, or otherwise subject to the jurisdiction of, such a country.

(2) CAPITAL ASSISTANCE.—The term “capital assistance” has the meaning given that term in section 834.

SEC. 908. EXTENSION OF MISSION MANAGEMENT PILOT PROGRAM.

Section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 191 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “IN GENERAL.—Ex-cept” and inserting the following: “IN GENERAL.—

“(A) SELECTION.—Except”; and

(ii) by adding at the end the following new subparagraph:

“(B) DELEGATION OF OVERSIGHT AND MANAGEMENT.—The Deputy Secretary of De-
Dfense may delegate one or more mission managers to oversee the selected missions and provide management around mission outcomes.”;

and

(B) by adding at the end the following new paragraph:

“(4) IDENTIFICATION OF FUNDING.—For each mission selected under paragraph (1), the Deputy Secretary of Defense shall identify funding sources in detail in defense budget materials for budgets submitted to Congress pursuant to section 1105 of title 31, United States Code, with selected missions and solution detailed in materials for each budgetary item associated with a selected mission.”;

(2) in subsection (c)(2)—

(A) in subparagraph (E), by striking “; and” and inserting a semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following new subparagraph:

“(F) assist the Deputy Secretary of Defense in the identification of funding that could contribute to the mission, including through ex-
isting authorized methods to realign, reprogram, or transfer funds; and”;

(3) in subsection (f)(1)(A), by striking “every six months thereafter until the date that is five years after the date of the enactment of this Act” and inserting “annually thereafter until September 30, 2031”; and

(4) in subsection (h), by striking “terminate on the date that is five years after the date of the enactment of this Act” and inserting “terminate on September 30, 2031”.

SEC. 909. CONFORMING AMENDMENTS TO CARRY OUT ELIMINATION OF POSITION OF CHIEF MANAGEMENT OFFICER.

(a) Removal of References to Chief Management Officer in Provisions of Law Relating to Precedence.—Chapter 4 of title 10, United States Code, is amended—

(1) in section 133a(c)—

(A) in paragraph (1), by striking “, the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense” and inserting “and the Deputy Secretary of Defense”; and
(B) in paragraph (2), by striking “the Chief Management Officer,”;

(2) in section 133b(c)—

(A) in paragraph (1), by striking “the Chief Management Officer of the Department of Defense,”; and

(B) in paragraph (2), by striking “the Chief Management Officer,”;

(3) in section 137a(d), by striking “the Chief Management Officer of the Department of Defense,”; and

(4) in section 138(d), by striking “the Chief Management Officer of the Department of Defense,”.

(b) ASSIGNMENT OF PERIODIC REVIEW OF DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES TO SECRETARY OF DEFENSE.—Section 192(c) of such title is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), in the first sentence, by striking “the Chief Management Officer of the Department of Defense” and inserting “the Secretary of Defense”; and
(B) in subparagraphs (B) and (C), by striking “the Chief Management Officer” and inserting “the Secretary”; and

(2) in paragraph (2), by striking “the Chief Management Officer” each place it appears and inserting “the Secretary”.

(e) ASSIGNMENT OF RESPONSIBILITY FOR FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION TO UNDER SECRETARY OF DEFENSE (COMPTROLLER).—

Section 240b of such title is amended—

(1) in subsection (a)(1), by striking “The Chief Management Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense (Comptroller),” and inserting “The Under Secretary of Defense (Comptroller) shall, in consultation with the Performance Improvement Officer of the Department of Defense,”; and

(2) in subsection (b)(1)(C)(ii), by striking “the Chief Management Officer” and inserting “the Performance Improvement Officer”.

(d) REMOVAL OF CHIEF MANAGEMENT OFFICER AS RECIPIENT OF REPORTS OF AUDITS BY EXTERNAL AUDITORS.—Section 240d(d)(1)(A) of such title is amended by striking “and the Chief Management Officer of the Department of Defense”.
(c) Conforming Amendments to Provisions of Law Related to Freedom of Information Act Exemptions.—Such title is further amended—

(1) in section 130e—

(A) by striking subsection (d);

(B) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(C) in subsection (d), as so redesignated—

(i) in the first sentence, by striking “, or the Secretary’s designee,”; and

(ii) in the second sentence, by striking “, through the Office of the Director of Administration and Management”; and

(2) in section 2254a—

(A) by striking subsection (c);

(B) by redesignating subsection (d) as subsection (c); and

(C) in subsection (c), as so redesignated—

(i) in the first sentence, by striking “, or the Secretary’s designee,”; and

(ii) in the second sentence, by striking “, through the Office of the Director of Administration and Management”.

(f) Removal of Chief Management Officer as Required Coordinator on Defense Resale Mat-
TERS.—Section 631(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2481 note) is amended by striking “, in coordination with the Chief Management Officer of the Department of Defense,”.

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 921. JOINT ENERGETICS TRANSITION OFFICE.

(a) In General.—The Secretary of Defense shall realign roles, responsibilities, and resources as necessary to establish a Joint Energetics Transition Office (in this section referred to as the “Office”).

(b) Responsibilities.—The Office shall—

(1) develop and periodically update an energetic materials strategic plan and investment strategy to guide current and future investments in new and legacy energetic materials and technologies, including by—

(A) developing or supporting the development of strategies and roadmaps, under the future-years defense program under section 221 of title 10, United States Code, and the program objective memorandum process, for energetic materials and technologies; and
(B) initiating special studies or analyses to inform the program objective memorandum process;

(2) coordinate and synchronize existing research, development, test, and evaluation efforts in energetic materials across the Department of Defense to identify promising new energetic materials and technologies—

(A) to mature, integrate, prototype, and demonstrate novel energetic materials and technologies, including classification and characterization testing of new materials and manufacturing technologies;

(B) to expedite testing, evaluation, and acquisition of energetic materials and technologies to meet the emergent needs of the Department, including the rapid integration of promising new materials and other promising energetic compounds into existing and planned weapons platforms; and

(C) to identify existing or establish new prototyping demonstration venues to integrate advanced technologies that speed the maturation and deployment of future energetic materials;
(3) oversee a process to expedite the qualification process for energetic materials, from discovery through integration into weapon systems, and recommend changes to laws, regulations, and policies that present barriers that extend timelines for that process; and

(4) carry out such other responsibilities relating to energetic materials as the Secretary shall specify.

e) Report Required.—The Deputy Secretary of Defense shall submit to the congressional defense committees—

(1) not later than 60 days after the date of the enactment of this Act, a report on the status of the establishment of the Office under subsection (a); and

(2) not later than one year after such date of enactment, a report on the measures taken to provide the Office with the staff and resources necessary for the Office to carry out its responsibilities under subsection (b).

SEC. 922. TRANSITION OF OVERSIGHT RESPONSIBILITY FOR THE DEFENSE TECHNOLOGY SECURITY ADMINISTRATION.

(a) Plan Required.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a transition plan to realign the De-
fense Technology Security Administration under the au-

thority, direction, and control of the Assistant Secretary
of Defense for Industrial Base Policy.

(b) Submission of Plan.—Not later than 7 days
after the date on which the Secretary completes develop-
ment of the plan required by subsection (a), the Secretary
shall submit the plan to the congressional defense commit-
tees.

e) Implementation of Plan.—Not later than 180
days after the date on which the Secretary completes de-
velopment of the plan required by subsection (a), the Sec-
retary shall realign the Defense Technology Security Ad-
ministration under the authority, direction, and control of
the Assistant Secretary of Defense for Industrial Base
Policy.

SEC. 923. INTEGRATED AND AUTHENTICATED ACCESS TO
DEPARTMENT OF DEFENSE SYSTEMS FOR
CERTAIN CONGRESSIONAL STAFF FOR OVER-
SIGHT PURPOSES.

Section 1046(a) of the James M. Inhofe National De-
fense Authorization Act for Fiscal Year 2023 (Public Law
117–263) is amended—

(1) in paragraph (1)(B), by striking “; and”
and inserting a semicolon;
(2) in paragraph (2), by striking the period at the end and inserting "; and"; and
(3) by adding at the end the following new paragraph:

“(3) to the extent feasible, be integrated with software used by the Department of Defense Parking Management Office to validate parking requests.”.

SEC. 924. INTEGRATION OF PRODUCTIVITY SOFTWARE SUITES FOR SCHEDULING DATA.

The Secretary of Defense shall ensure that the Department of Defense is capable of scheduling congressional engagements in a digitally interoperable manner by not later than February 25, 2024, either through—

(1) integrating the productivity software suite of the Department of Defense with the productivity software suite of the congressional defense committees; or

(2) enabling the automated transmission of scheduling data through another software solution.

SEC. 925. OPERATIONALIZING AUDIT READINESS.

(a) METRICS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop a set of command audit
metrics that link existing audit readiness goals and
metrics for the financial management community
with unit leadership goals and metrics to provide
operationally relevant performance measures for use
by unit commanders.

(2) LEVERAGING SUPPORT.—In developing the
metrics required by paragraph (1), the Secretary
may leverage support from an existing federally
funded research and development center or univer-
sity-affiliated research center.

(3) DEADLINE.—An initial set of metrics shall
be developed and implemented under paragraph (1)
not later than April 30, 2025.

(b) TRAINING.—

(1) IN GENERAL.—The President of the De-
fense Acquisition University shall develop training
curricula to support the workforce of the Depart-
ment of Defense in understanding, implementing,
and utilizing the metrics developed under subsection
(a) in the day-to-day performance of their command
and leadership duties.

(2) DEADLINE.—An initial training curriculum
shall be developed and implemented under para-
graph (1) not later than April 30, 2025.

c) LEADER PERFORMANCE ASSESSMENTS.—
(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall evaluate means by which the metrics developed under subsection (a) can be used in the performance evaluation of unit commanders.

(2) BRIEFING REQUIRED.—Not later than September 30, 2024, the Secretary shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the evaluation conducted under paragraph (1). The briefing shall include the following elements:

(A) Identification of the appropriate command echelon at which to assess unit leader performance using the metrics developed under subsection (a).

(B) Evaluations of available measures to reward superior or above average performance with respect to such metrics.

(C) Assessment of the potential value, and challenges, to integrating such measures into the annual performance evaluations for designated unit leaders.

(D) Any other issues the Secretary considers appropriate.
SEC. 926. NEXT GENERATION BUSINESS HEALTH METRICS.

(a) METRICS REQUIRED.—The Secretary of Defense, acting through the Director of Administration and Management and in coordination with the Secretaries of the military departments, shall develop an updated set of business health metrics to inform decision-making by senior leaders of the Department of Defense.

(b) ELEMENTS.—In developing the metrics required by subsection (a), the Director shall—

(1) using the current literature on performance measurement, determine what additional new metrics should be implemented, or current metrics should be adapted, to reduce output-based measures and emphasize objective, measurable indicators aligned to enduring strategic goals of the Department of Defense;

(2) assess the current business processes of the Department and provide recommendations to align the metrics with available data sources to determine what gaps might exist in such processes;

(3) ensure that data can be collected automatically and, on a long-term basis, in a manner that provides for longitudinal analysis;

(4) link the metrics with the Strategic Management Plan and other performance documents guiding the Department;
(5) identify any shortfalls in resources, data, training, policy, or law that could be an impediment to implementing the metrics;

(6) revise leading and lagging indicators associated with each such metric to provide a benchmark against which to assess progress;

(7) improve visualization of and comprehension for the use of the metrics in data-driven decision-making, including adoption of new policies and training as needed;

(8) incorporate the ability to aggregate and disaggregate data to provide the ability to focus on functional, component-level metrics; and

(9) increase standardization of the use and collection of business health metrics across the Department.

(c) ADDITIONAL SUPPORT.—In developing the metrics required by subsection (a), the Director may leverage support from an existing federally funded research and development center or university-affiliated research center.

(d) BRIEFING REQUIRED.—Not later than January 30, 2025, the Director shall brief the Committees on Armed Services of the Senate and the House of Represent-
atives on the development of the metrics required by sub-
section (a).

SEC. 927. INDEPENDENT ASSESSMENT OF DEFENSE BUSI-
NESS ENTERPRISE ARCHITECTURE.

(a) In General.—The Secretary of Defense shall se-
lect a federally funded research and development center
or a university affiliated research center to conduct an
independent assessment of the defense business enterprise
architecture developed under section 2222(e) of title 10,
United States Code.

(b) Elements.—The assessment required by sub-
section (a) shall include the following elements:

(1) An assessment of the effectiveness of the
defense business enterprise architecture as of the
date of the enactment of this Act in providing an
adequate and useful framework for planning, man-
aging, and integrating the business systems of the
Department of Defense.

(2) A comparison of the defense business enter-
prise architecture with similar models in use by
other government agencies in the United States, for-
eign governments, and major commercial entities, in-
cluding an assessment of any lessons from such
models that might be applied to the defense business
enterprise architecture.
(3) An assessment of the adequacy of the defense business enterprise architecture in informing business process reengineering and being sufficiently responsive to changes in business processes over time.

(4) An identification of any shortfalls or implementation challenges in the utility of the defense business enterprise architecture.

(5) Recommendations for replacement of the existing defense business enterprise architecture or for modifications to the existing architecture to make that architecture and the process for updating that architecture more effective and responsive to the business process needs of the Department.

(c) INTERIM BRIEFING.—Not later than April 1, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the status of the assessment required by subsection (a).

(d) FINAL REPORT.—Not later than January 30, 2025, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the assessment required by subsection (a).
SEC. 928. LIMITATION ON ESTABLISHMENT OF NEW DIVERSITY, EQUITY, AND INCLUSION POSITIONS; HIRING FREEZE.

(a) IN GENERAL.—During the period described in subsection (b), the Secretary of Defense may not—

(1) establish any new positions within the Department of Defense with responsibility for matters relating to diversity, equity, and inclusion; or

(2) fill any vacancies in positions in the Department with responsibility for such matters.

(b) PERIOD DESCRIBED.—The period described in this subsection is the period—

(1) beginning on the date of the enactment of this Act; and

(2) ending on the date on which the Comptroller General of the United States submits to Congress the review of the Department of Defense diversity, equity, and inclusion workforce required by the report of the Committee on Armed Services of the Senate accompanying the National Defense Authorization Act for Fiscal Year 2024.

TITLE X—GENERAL PROVISIONS
Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—
(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2024 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $6,000,000,000.

(3) **EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.**—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

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

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and
(2) may not be used to provide authority for an
item that has been denied authorization by Con-
gress.

(c) Effect on Authorization Amounts.—A
transfer made from one account to another under the au-
thy of this section shall be deemed to increase the
amount authorized for the account to which the amount
is transferred by an amount equal to the amount trans-
ferred.

(d) Notice to Congress.—The Secretary shall
promptly notify Congress of each transfer made under
subsection (a).

SEC. 1002. ANNUAL REPORT ON BUDGET PRIORITIZATION
BY SECRETARY OF DEFENSE AND MILITARY
DEPARTMENTS.

(a) In General.—Chapter 9 of title 10, United
States Code, is amended by inserting after section 222d
the following new section:

"§ 222e. Programs, projects, and activities that were
internally reduced or eliminated in the
submission of the President's budget: an-
nual report

"(a) In General.—The Secretary of Defense, acting
through the Secretaries of the military departments and
the officers of Department of Defense agencies and offices
not under the control of a Secretary of a military department, shall submit to the congressional defense committees each year, not later than 15 days after the submission of the budget of the President for the fiscal year beginning in such year under section 1105(a) of title 31, a report that includes organized tabulations of programs, projects, and activities the total obligational authority for which was reduced or eliminated in the current budget year proposal compared to the prior-year projection for the current year.

“(b) ELEMENTS.—The tabulations required under subsection (a) shall include, for each program, project, or activity that was internally reduced or eliminated, the following elements:

“(1) Whether the program, project, or activity was eliminated or reduced and which fiscal year it was eliminated or reduced in.

“(2) Appropriations sub-account.

“(3) The appropriate program element, line item number, or sub-activity group.

“(4) Program, project, or activity name.

“(5) Prior year enacted appropriation.

“(6) Prior year projected current year budget.

“(7) Current year budget request.
“(8) If applicable, the amount reduced or saved by the current year elimination or reduction over the future years defense plan.

“(9) The rationale for reduction or elimination.

“(c) FORM.—The report required under subsection (a) shall be submitted in machine readable, electronic form.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 222d the following new item:

“222e. Programs, projects, and activities that were internally reduced or eliminated in the submission of the President’s budget: annual report.”.

SEC. 1003. ADDITIONAL REPORTING REQUIREMENTS RELATED TO UNFUNDED PRIORITIES.

Section 222a(c)(1) of title 10, United States Code, is amended by adding at the end the following new sub-paragraph:

“(E) For each priority—

“(i) the requirement that will be addressed which is not in the base budget request;

“(ii) the reason why the priority was not included in the base budget request;

“(iii) a description of previous funding to address the requirement;
“(iv) an assessment of the impact of
the priority on the future years defense
plan.”.

SEC. 1004. SENSE OF THE SENATE ON NEED FOR EMERGENCY SUPPLEMENTAL APPROPRIATIONS.

It is the sense of the Senate that—

(1) section 101 of the Fiscal Responsibility Act of 2023 (Public Law 118–5) imposes limits on discretionary spending in the defense and nondefense categories;

(2) if those spending limits for either category are breached, then across-the-board sequestration cuts are triggered on that category to eliminate the breach;

(3) the enactment of authorization and appropriations legislation for the Department of Defense will provide inherent cost savings that continuing resolutions do not provide;

(4) there are growing national security concerns that require additional funds beyond the revised security spending limit, to include continued support to the Ukrainian armed forces, additional munitions production, additional large surface combatants, shipbuilding industrial base modernization investments, submarine industrial base and supply chain
management, additional production of wheeled and tracked combat vehicles, and emergent capabilities and exercises in the United States Indo-Pacific Command;

(5) as the Senate Majority Leader Chuck Schumer stated on June 1, 2023, “This debt ceiling deal does nothing to limit the Senate’s ability to appropriate emergency/supplemental funds to ensure our military capabilities are sufficient to deter China, Russia, and our other adversaries and respond to ongoing and growing national security threats, including Russia’s ongoing war of aggression against Ukraine, our ongoing competition with China and its growing threat to Taiwan, Iranian threats to American interests and those of our partners in the Middle East, or any other emerging security crisis; nor does this debt ceiling deal limit the Senate’s ability to appropriate emergency/supplemental funds to respond to various national issues, such as disaster relief, or combating the fentanyl crisis, or other issues of national importance.”; and

(6) the President should expeditiously send emergency funding requests to the Senate for consideration so that those needs can receive sufficient and additional funds.
Subtitle B—Counterdrug Activities

SEC. 1011. DISRUPTION OF FENTANYL TRAFFICKING.

(a) Sense of Senate.—It is the sense of the Senate that—

(1) fentanyl trafficking across the borders of the United States, and the consequences of that trafficking, constitute an unprecedented, nontraditional, and long-term threat to the national security of the United States;

(2) transnational criminal organizations have established effective control over significant areas within Mexico, which has enabled the development of fentanyl production and trafficking infrastructure;

(3) combating fentanyl trafficking demands—

(A) improved interagency command, control, communications, and intelligence sharing to enhance the effectiveness of the interdiction of fentanyl at the borders of the United States; and

(B) whole-of-government solutions comprised of an integrated and synchronized interagency organizational construct committed to dismantling the process of trafficking fentanyl from chemical precursor to production to deliv-
ery in the United States and enabling partner
ations to do the same;

(4) it is within the national security interest of
the United States for Federal, State, and local law
enforcement agencies, the Department of Defense,
the Department of State, other counter-drug agen-
cies, and stakeholders to effectively communicate
and that the failure of effective communication af-
facts the prevention, interdiction, and prosecution of
fentanyl trafficking and distribution into and within
the United States; and

(5) the United States must partner with Mexico
and Canada to combat fentanyl trafficking through
institution building, the dismantling of cartels, and
seizures of fentanyl in Mexico, Canada, and intra-
state transit zones.

(b) DEVELOPMENT OF STRATEGY TO COUNTER
FENTANYL TRAFFICKING AND REPORT.—

(1) STRATEGY.—

(A) IN GENERAL.—Not later than 120
days after the date of the enactment of this
Act, the Secretary of Defense, in coordination
with other Federal agencies as the Secretary
considers appropriate, shall develop and submit
to the appropriate congressional committees a
strategy to use existing authorities, including
the authorities under section 124 of title 10,
United States Code, as appropriate, to target,
disrupt, or degrade threats to the national secu-
ritry of the United States caused or exacerbated
by fentanyl trafficking.

(B) CONTENTS.—The strategy required by
subsection (A) shall outline how the Sec-
retary of Defense will—

(i) leverage existing authorities re-
garding counterdrug and counter-
transnational organized crime activities
with a counter-fentanyl nexus to detect
and monitor activities related to fentanyl
trafficking;

(ii) support operations to counter
fentanyl trafficking carried out by other
Federal agencies, State, Tribal, and local
law enforcement agencies, or foreign secu-
ritry forces;

(iii) coordinate efforts of the Depart-
ment of Defense for the detection and
monitoring of aerial, maritime, and surface
traffic suspected of carrying fentanyl
bound for the United States, including ef-
forts to unify the use of technology, surveillancem and related resources across air, land, and maritime domains to counter fentanyl trafficking, including with respect to data collection, data processing, and integrating sensors across such domains;

(iv) provide military-unique capabilities to support activities by the United States Government and foreign security forces to detect and monitor the trafficking of fentanyl and precursor chemicals used in fentanyl production, consistent with section 284(b)(10) of title 10, United States Code;

(v) leverage existing counterdrug and counter-transnational organized crime programs of the Department to counter fentanyl trafficking;

(vi) assess existing training programs of the Department and provide training for Federal, State, Tribal, and local law enforcement agencies conducted by special operations forces to counter fentanyl trafficking, consistent with section 284(b) of title 10, United States Code;
(vii) engage with foreign security forces to ensure the counterdrug and counter-transnational organized crime programs of the Department—

(I) support efforts to counter fentanyl trafficking; and

(II) build capacity to interdict fentanyl in foreign countries, including programs to train security forces in partner countries to counter fentanyl trafficking, including countering illicit flows of fentanyl precursors, consistent with sections 284(c) and 333 of title 10, United States Code;

(viii) use the North American Defense Ministerial and the bilateral defense working groups and bilateral military cooperation round tables with Canada and Mexico to increase domain awareness to detect and monitor fentanyl trafficking; and

(ix) evaluate existing policies, procedures, processes, and resources that affect the ability of the Department to counter fentanyl trafficking consistent with existing
counterdrug and counter-transnational organized crime authorities.

(C) FORM.—The strategy required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(D) BRIEFING.—Not later than 45 days after the submission of the strategy required by subparagraph (A), the Secretary shall provide to the appropriate congressional committees a briefing on the strategy and plans for its implementation.

(2) REPORT ON LAW ENFORCEMENT REIMBURSEMENT.—The Secretary of Defense shall submit to the appropriate congressional committees a report on—

(A) any goods or services provided under section 1535 of title 31, United States Code (commonly known as the “Economy Act”), during the period beginning on January 1, 2010, and ending on the date on which the report is submitted, by the Department of Defense to Federal civilian law enforcement agencies for counterdrug and counter-transnational organized crime operations on the southern border of the United States; and
(B) any payments made for such goods or services under such section during such period.

(c) Cooperation With Mexico.—

(1) In general.—The Secretary of Defense shall seek to enhance cooperation with defense officials of the Government of Mexico to target, disrupt, and degrade transnational criminal organizations within Mexico that traffic fentanyl.

(2) Report on Enhanced Security Cooperation.—

(A) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on efforts to enhance cooperation with defense officials of the Government of Mexico specified in paragraph (1).

(B) Contents.—The report required by subparagraph (A) shall include—

(i) an assessment of the impact of the efforts to enhance cooperation described in paragraph (1) on targeting, disrupting, and degrading fentanyl trafficking;
(ii) a description of limitations on such efforts, including limitations imposed by the Government of Mexico;

(iii) recommendations by the Secretary on actions to further improve cooperation with defense officials of the Government of Mexico;

(iv) recommendations by the Secretary on actions of the Department of Defense to further improve the capabilities of the Government of Mexico to target, disrupt, and degrade fentanyl trafficking; and

(v) any other matter the Secretary considers relevant.

(C) Form.—The report required by subparagraph (A) may be submitted in unclassified form but shall include a classified annex.

(d) Definitions.—In this section:

(1) Appropriate congressional committees.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.
(2) FENTANYL.—The term “fentanyl” means fentanyl and any fentanyl-related substance.

(3) FENTANYL-RELATED SUBSTANCE.—The term “fentanyl-related substance”—

(A) means any substance that is structurally related to fentanyl by 1 or more modifications of—

(i) replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(iv) replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and

(v) replacement of the N-propionyl group with another acyl group; and
(B) does not include a substance described in subparagraph (A) that is—

(i) controlled by action of the Attorney General pursuant to section 201 of the Controlled Substances Act (21 U.S.C. 811);

(ii) expressly listed in Schedule I of section 202(c) of that Act (21 U.S.C. 812) or another schedule by a statutory provision; or

(iii) removed from Schedule I, or rescheduled to another schedule, pursuant to section 201(k) of that Act (21 U.S.C. 811(k)).

(4) ILEGAL MEANS.—The term “illegal means” includes the trafficking of money, human trafficking, illicit financial flows, illegal trade in natural resources and wildlife, trade in illegal drugs and weapons, and other forms of illegal means determined by the Secretary of Defense.

(5) SECURITY COOPERATION PROGRAM.—The term “security cooperation program” has the meaning given that term in section 301 of title 10, United States Code.
(6) **TRANSNATIONAL CRIMINAL ORGANIZATION.**—

(A) **IN GENERAL.**—The term “transnational criminal organization” means a group, network, and associated individuals who operate transnationally for the purpose of obtaining power, influence, or monetary or commercial gain, wholly or in part by illegal means, while advancing their activities through a pattern of crime, corruption, or violence and protecting their illegal activities through a transnational organizational structure and the exploitation of public corruption or transnational logistics, financial, or communication mechanisms.

(B) **ADDITIONAL ORGANIZATIONS.**—The term “transnational criminal organization” includes any transnational criminal organization identified in the most recent Drug Threat Assessment of the Drug Enforcement Agency.

**SEC. 1012. ENHANCED SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.**

Section 284(b)(9) of title 10, United States Code, is amended by striking “linguist and intelligence analysis”
and inserting “linguist, intelligence analysis, and planning”.

SEC. 1013. MODIFICATION OF SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME: INCREASE IN CAP FOR SMALL SCALE CONSTRUCTION PROJECTS.

Section 284(i)(3) of title 10, United States Code, is amended by striking “$750,000” and inserting “$1,500,000”.

SEC. 1014. BUILDING THE CAPACITY OF ARMED FORCES OF MEXICO TO COUNTER THE THREAT POSED BY TRANSNATIONAL CRIMINAL ORGANIZATIONS.

(a) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall establish a pilot program to assess the feasibility and advisability of building the capacity of armed forces of Mexico in the United States on goals, jointly agreed to by the Governments of the United States and Mexico, to counter the threat posed by transnational criminal organizations, including through—

(1) operations designed, at least in part, by the United States, to counter that threat; and
(2) in consultation with the appropriate civilian government agencies specializing in countering transnational criminal organizations—

(A) joint network analysis;

(B) counter threat financing;

(C) counter illicit trafficking (including narcotics, weapons, and human trafficking, and illicit trafficking in natural resources); and

(D) assessments of key nodes of activity of transnational criminal organizations.

(b) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a plan for implementing the pilot program required by subsection (a) over a period of five years, including the costs of administering the program during such period.

(2) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and
(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**Subtitle C—Naval Vessels**

**SEC. 1021. MODIFICATION OF AUTHORITY TO PURCHASE USED VESSELS UNDER THE NATIONAL DEFENSE SEALIFT FUND.**

Section 2218(f)(3) of title 10, United States Code, is amended—

1. by striking subparagraphs (C), (E) and (G);

2. and

3. by redesignating subparagraphs (D) and (F) as subparagraphs (C) and (D), respectively.

**SEC. 1022. AMPHIBIOUS WARSHIP FORCE AVAILABILITY.**

Section 8062 of title 10, United States Code, is amended—

1. in subsection (e)—

   A) in paragraph (2), by striking “and” at the end;

   B) in paragraph (3), by striking the period at the end and inserting “; and”; and

   C) by adding at the end the following new paragraph:
“(4) the Navy adjusts scheduled maintenance
and repair actions to maintain a minimum of 24 am-
phibious warfare ships operationally available for
worldwide deployment.’’; and

(2) by redesignating the second subsection (g)
(defining amphibious warfare ship) as subsection
(h).

SEC. 1023. PROHIBITION ON RETIREMENT OF CERTAIN
NAVAL VESSELS.

None of the funds authorized to be appropriated by
this Act for fiscal year 2024 may be obligated or expended
to retire, prepare to retire, or place in storage any of the
following naval vessels:

(1) USS Germantown (LSD 42).
(2) USS Gunston Hall (LSD 44).
(3) USS Tortuga (LSD 46).
(4) USS Shiloh (CG 67).

SEC. 1024. REPORT ON THE POTENTIAL FOR AN ARMY AND
NAVY JOINT EFFORT FOR WATERCRAFT VES-
SELS.

(a) Report Required.—Not later than February
29, 2024, the Secretary of the Navy, in coordination with
the Secretary of the Army, shall submit to the congres-
sional defense committees a report on the feasibility of
conducting a joint Army and Navy effort to develop and
field a family of watercraft vessels to support the implement-
ment of the Marine Corps concept of expeditionary advanced base operations and Army operations in maritime environments.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of whether a shared base platform could meet requirements of the Department of the Navy and the Department of the Army, and, if so, an assessment of the benefits and challenges of procuring a technical data package to allow simultaneous construction of such platform by multiple builders and using block buy authorities.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.


SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.


SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINNEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.


Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. EXTENSION OF ADMISSION TO GUAM OR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN NONIMMIGRANT H–2B WORKERS.

Section 6(b)(1)(B) of the Joint Resolution entitled “A Joint Resolution to approve the ‘Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America’, and for other purposes”, approved March 24, 1976 (48 U.S.C. 1806(b)(1)(B)), is amended, in the matter preceding clause (i), by striking “December 31, 2023” and inserting “December 31, 2029”.

SEC. 1042. AUTHORITY TO INCLUDE FUNDING REQUESTS FOR THE CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM IN BUDGET ACCOUNTS OF MILITARY DEPARTMENTS.

Section 1701(d)(2) of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 1522(d)(2)) is amended by striking “may not be included in the budget accounts” and inserting “may be included in the budget accounts”.

SEC. 1043. UNFAVORABLE SECURITY CLEARANCE ELIGIBILITY DETERMINATIONS AND APPEALS.

(a) Administrative Due Process Procedures for Covered Individuals Seeking or Having Access to Classified Information or Sensitive Compartment Information.—

(1) In general.—Each head of a component of the Department of Defense shall provide to each covered individual described in paragraph (2) of such component seeking or having access to classified information or sensitive compartment information with administrative due process procedures described in paragraph (3) through the Defense Office of Hearings and Appeals.

(2) Covered individual described.—A covered individual described in this paragraph is a member of the Armed Forces, a civilian employee
employed by a component of the Department of De-
fense, or a contractor employee described in Depart-
ment of Defense Manual 5220.22, Volume 2 (relat-
ing to National Industrial Security Program: Indus-
trial Security Procedures for Government Activities),
or successor manual.

(3) **Administrative Due Process Procedures Described.**—The administrative due process procedures described in this paragraph are the ad-
ministrative due process procedures described in De-
partment of Defense Directive 5220.6 (relating to
Defense Industrial Personnel Security Clearance Re-
view Program), or successor directive, and Executive
Order 10865 (50 U.S.C. 3161 note; relating to safe-
guarding classified information within industry).

(b) **Hearings, Appeals, and Final Denials and
Revocations of Security Clearance Eligibility.**—
In order to simplify, centralize, and unify the administra-
tive processes for unfavorable security clearance eligibility
determinations for covered individuals described in sub-
section (a)(2), the Secretary of Defense shall ensure that
all hearings, appeals, and final denials and revocations of
security clearance eligibility are performed by the Defense
Office of Hearings and Appeals with administrative due
process procedures.
(c) Updates to Department of Defense Manuals.—The Secretary of Defense shall update Department of Defense Manual 5200.02 (relating to procedures for Department of Defense Personnel Security Program) and Department of Defense Manual 5220.22, Volume 2 (relating to National Industrial Security Program: Industrial Security Procedures for Government Activities) to conform with the requirements of subsections (a) and (b).

(d) Authority of Director of Defense Office of Hearings and Appeals to Render Eligibility Determinations for Access to Classified Information and Sensitive Compartmented Information.—The Director of the Defense Office of Hearings and Appeals may render eligibility determinations for access to classified information and sensitive compartmented information pursuant to procedures and guidelines that the Director shall issue in consultation with the Director of National Intelligence.

(e) Dissemination of Security Relevant Information.—

(1) Request for Sharing Required.—In a case in which a contractor or civilian employee of the Federal Government holding an active security clearance is seeking to transfer that clearance for a new position in the Department of Defense and in which
an agency or department of the Federal Government possesses security relevant information about that clearance holder that is related to eligibility for access to classified information and makes known the existence of such security relevant information in the commonly accessible security clearance databases of the Federal Government, but without taking any action to suspend or revoke that clearance holder’s security clearance, the Department of Defense component considering the transfer of a clearance shall promptly make a request to receive the security relevant information from the agency or department in possession of such information.

(2) FAILURE TO SHARE.—In a case in which an agency or department of the Federal Government receives a request to share security relevant information about a clearance holder pursuant to paragraph (1) but fails to do so within 30 days of the date on which the request is made, such failure shall trigger procedural and substantive due process rights, established for the purposes of carrying out this section, for the clearance holder to challenge the security relevant information as if the information were the equivalent of a suspension, denial, or revocation of the underlying clearance.
(f) PROTECTIONS.—Members of the Armed Forces and civilian employees of the Department of Defense may not be suspended without pay because a security clearance is suspended or revoked prior to the conclusion of any appeal process to enable such members and employee to support themselves during an appeal process and to support themselves without resigning from Government employment and thereby losing standing to appeal the suspension or revocation of access to classified information.

(g) EFFECTIVE DATE; APPLICABILITY.—

(1) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(A) the date on which the General Counsel of the Department of Defense certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the Defense Office of Hearings and Appeals is prepared for the provisions of this section to take effect; or

(B) September 30, 2024.

(2) APPLICABILITY.—This section shall apply to revocations of eligibility to access classified information or sensitive compartmented information that occur on or after the date on which this section takes effect pursuant to paragraph (1).
(h) **Rule of Construction.**—Nothing in this section shall be construed to diminish or otherwise affect the authority of the head of a component of the Department to suspend access to classified information or a special access program, including sensitive compartmented information, in exigent circumstances, should the head determine that continued access of a covered individual is inconsistent with protecting the national security of the United States.

**SEC. 1044. ASSISTANCE IN SUPPORT OF DEPARTMENT OF DEFENSE ACCOUNTING FOR MISSING UNITED STATES GOVERNMENT PERSONNEL.**

(a) In General.—Section 408 of title 10, United States Code, is amended—

(1) in the section heading, by striking “Equipment and training of foreign personnel to assist in” and inserting “Assistance in support of”;

(2) in subsection (b), by adding at the end the following new paragraph:

“(5) Funds.”;

(3) by striking subsections (d) and (f);

(4) by redesignating subsection (e) as subsection (d); and
(5) by adding at the end the following new subsection:

“(e) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the assistance provided under this section during the preceding fiscal year.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 20 of title 10, United States Code, is amended by striking the item relating to section 408 and inserting the following new item:

“408. Assistance in support of Department of Defense accounting for missing United States Government personnel.”.

SEC. 1045. IMPLEMENTATION OF ARRANGEMENTS TO BUILD TRANSPARENCY, CONFIDENCE, AND SECURITY.

Section 2241 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) IMPLEMENTATION OF VIENNA DOCUMENT 2011.—Amounts appropriated for operation and maintenance may be used by the Secretary of Defense for travel, transportation, and subsistence expenses for meetings and demonstrations hosted by the Department of Defense for the implementation of the Vienna Document 2011 on Confidence and Security-Building Measures.”.
SEC. 1046. ACCESS TO AND USE OF MILITARY POST OFFICES BY UNITED STATES CITIZENS EMPLOYED OVERSEAS BY THE NORTH ATLANTIC TREATY ORGANIZATION WHO PERFORM FUNCTIONS IN SUPPORT OF MILITARY OPERATIONS OF THE ARMED FORCES.

(a) Requirement to Authorize Use of Post Office.—Section 406 of title 39, United States Code, is amended by striking “may authorize the use” and inserting “shall authorize the use”.

(b) Briefing Requirement.—Not later than March 1, 2024, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on the revision of the Financial Management Regulation to authorize individuals under subparagraph (A) of section 406(c)(1) of title 39, United States Code, as amended by subsection (a), to utilize the authority provided under such subparagraph. If there is a determination that this authority is not feasible for a legal or financial reason, the Secretary shall include the background for those determinations in the briefing.
SEC. 1047. REMOVAL OF TIME LIMITATIONS OF TEMPORARY PROTECTION AND AUTHORIZATION OF REIMBURSEMENT FOR SECURITY SERVICES AND EQUIPMENT FOR FORMER OR RETIRED DEPARTMENT OF DEFENSE PERSONNEL.

(a) REMOVAL OF TIME LIMITATIONS.—Section 714(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7);

(2) in paragraph (5)—

(A) by redesignating subparagraph (C) as paragraph (6) and moving such paragraph, as so redesignated, two ems to the left; and

(B) by striking “DURATION OF PROTECTION.—” and all that follows through the period at the end of subparagraph (B) and inserting “DURATION OF PROTECTION.—The Secretary of Defense shall require periodic reviews, not less than once every six months, of the duration of protection provided to individuals under this subsection.”;

(3) in subparagraph (A) of paragraph (7), as redesignated by paragraph (1) of this subsection, by striking “and of each determination under para-
(b) Authorization of Reimbursement or Acquisition of Security Services.—Section 714 of title 10, United States Code, is further amended by adding at the end the following new subsection:

“(e) Reimbursement.—The Secretary of Defense may reimburse a former or retired official who faces serious and credible threats arising from duties performed while employed by the Department for security services and equipment procured at the personal expense of the official, not to exceed an aggregate of $15,000,000 in any fiscal year for all former and retired officials authorized by the Secretary of Defense for such reimbursement.”.

SEC. 1048. ANNUAL DEFENSE POW/MIA ACCOUNTING AGENCY (DPAA) CAPABILITIES REQUIRED TO EXPAND ACCOUNTING FOR PERSONS MISSING FROM DESIGNATED PAST CONFLICTS.

(a) In General.—Not later than March 1, 2024, and annually thereafter, the Defense POW/MIA Accounting Agency (DPAA) shall post on a publicly available internet website a list of capabilities required to expand accounting for persons missing from designated past conflicts and provide a briefing to Congress on those capabilities.
(b) Authority to Enter Into Agreements.—
The Defense POW/MIA Accounting Agency may enter
into agreements with universities or research organiza-
tions to provide additional capabilities for specialized mis-
sions or research requirements.

Subtitle F—Studies and Reports

SEC. 1051. ANNUAL REPORT AND BRIEFING ON IMPLEMENTATION OF FORCE DESIGN 2030.

(a) In General.—Not later than March 31, 2024,
and annually thereafter through March 31, 2030, the
Commandant of the Marine Corps shall submit to the con-
gressional defense committees a report detailing the pro-
grammatic choices made to implement Force Design 2030,
including both new developmental and fielded capabilities,
as well as capabilities and capacity divested to accelerate
implementation of Force Design 2030.

(b) Briefing Requirement.—Not later than Sep-
tember 30, 2024, and annually thereafter through Sep-
tember 30, 2030, the Commandant of the Marine Corps
shall provide a briefing on the elements described under
subsection (c).

(c) Elements.—The report required under sub-
section (a) and briefing required under subsection (b) shall
include the following elements:

(2) An inventory and assessment of Force Design-related exercises and experimentation beginning in fiscal year 2020, including which capabilities were involved and the extent to which such exercises and experiments validated or militated against proposed capability investments.

(3) An inventory of divestments of capability or capacity, whether force structure or equipment, starting in fiscal year 2020, including—

(A) a timeline of the progress of each divestment;

(B) the type of force structure or equipment divested or reduced;

(C) the percentage of force structure or equipment divested or reduced, including any equipment entered into inventory management or another form of storage;

(D) the rationale and context behind such divestment;
(E) an identification of whether such divestment affects the Marine Corps’ ability to meet the requirements of Global Force Management process and the operational plans, including an explanation of how the Marine Corps plans to mitigate the loss of such capability or capacity if the divestment affects the Marine Corps’ ability to meet the requirements of the Global Force Management process and the operational plans, including through new investments, additional joint planning and training, or other methods; and

(F) an assessment of the Marine Corps’ recruitment and retention actual and projected percentages starting in fiscal year 2020.

(4) An inventory of extant or planned investments as a part of Force Design 2030, disaggregated by integrated air and missile defense, littoral mobility and maneuver, sea denial, and reconnaissance and counter-reconnaissance forces, including—

(A) capability name;

(B) capability purpose and context;

(C) capability being replaced (or not applicable);
1. (D) date of initial operational capability;
2. (E) date of full operational capability;
3. (F) deliveries of units by year; and
4. (G) approved acquisition objective or similar inventory objective.

5. (5) A description of the amphibious warfare ship and maritime mobility requirements the Marine Corps submitted to the Department of the Navy in support of the Marine Corps organization and concepts under Force Design 2030 and its statutory requirements, including a detailed statement of the planning assumptions about readiness of amphibious warfare ships and maritime mobility platforms that were used in developing the requirements.

6. (6) An assessment of how the capability investments described in paragraph (4) contribute to joint force efficacy in new ways, including through support of other military services.

7. (7) An assessment of the ability of the Marine Corps to generate required force elements for the Immediate Ready Force and the Contingency Ready Force over the previous two fiscal years and the expected ability to generate forces for the next two fiscal years.
(8) An assessment of Marine Corps force structure and the readiness of Marine Expeditionary Units compared to availability of amphibious ships comprising an Amphibious Ready Group over the previous two fiscal years and the expected availability for the next two fiscal years.

(9) An assessment by the Marine Corps of its compliance with the statutory organization prescribed in section 8063 of title 10, United States Code, that “[t]he Marine Corps, within the Department of the Navy, shall be so organized as to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein”.

(10) An assessment by the Marine Corps of its compliance with the statutory functions prescribed in section 8063 of title 10, United States Code, that “[t]he Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign”.

SEC. 1052. PLAN FOR CONVERSION OF JOINT TASK FORCE NORTH INTO JOINT INTERAGENCY TASK FORCE NORTH.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the head of any relevant Federal department or agency and acting through the Under Secretary of Defense for Policy, shall submit to the congressional defense committees a plan for converting the Joint Task Force North of the United States Northern Command into a joint interagency task force to be known as the “Joint Interagency Task Force North”.

(b) Elements.—The plan required by subsection (a) shall include the following:

(1) A description of the mission of the Joint Interagency Task Force North.

(2) A detailed description of the resources of the Department of Defense, including personnel, facilities, and operating costs, necessary to convert the Joint Task Force North into a joint interagency task force.

(3) An identification of—

(A) each relevant department and agency of the United States Government the participation in the Joint Interagency Task Force North of which is necessary in order to enable the
Joint Interagency Task Force North to effectively carry out its mission; and

(B) the interagency arrangements necessary to ensure effective participation by each such department and agency.

(4) An identification of each international liaison necessary for the Joint Interagency Task Force North to effectively carry out its mission.

(5) A description of the bilateral and multilateral agreements with foreign partners and regional and international organizations that would support the implementation of the mission of the Joint Interagency Task Force North.

(6) A description of the relationship between the Joint Interagency Task Force North and the Joint Interagency Task Force South of the United States Southern Command.


(8) A recommendation on whether the Joint Interagency Task Force North should be an enduring entity and a discussion of the circumstances under which the mission of the Joint Interagency
Task Force North would transition to one or more entities within the United States Government other than the United States Northern Command.

(9) Any recommendations for additional legal authority needed for the Joint Interagency Task Force North to effectively carry out its mission.

(e) FORM.—The plan required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) INTERIM BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the congressional defense committees on progress made in developing the plan required by subsection (a).

SEC. 1053. REPORT ON USE OF TACTICAL FIGHTER AIRCRAFT AND BOMBER AIRCRAFT FOR DEPLOYMENTS AND HOMELAND DEFENSE MISSIONS.

(a) IN GENERAL.—Not later than May 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report including the results of a study on the use of tactical fighter aircraft and bomber aircraft for deployments and homeland defense missions.

(b) SCOPE.—The study conducted pursuant to subsection (a) shall—
(1) review both deployment and exercise requirements for tactical fighter aircraft and bomber aircraft levied by each geographic combatant command;

(2) assess deployable forces currently available to fulfill each of those requirements, and whether those forces are adequate to meet the global requirements;

(3) review any relevant tactical fighter forces or bomber forces that are not considered deployable or available to meet combatant command requirements, and consider whether that status can or should change;

(4) assess whether adequate consideration has been put into fighter coverage of the homeland during these deployments, in particular within the Alaska Area of Responsibility and the Hawaii Area of Responsibility; and

(5) assess Air Force and Navy active duty, Air National Guard, and reserve land-based tactical fighter units that could be considered for inclusion into homeland defense mission requirements.
SEC. 1054. MODIFICATIONS OF REPORTING REQUIREMENTS.

(a) CONSOLIDATED BUDGET QUARTERLY REPORT ON USE OF FUNDS.—Section 381(b) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “QUARTERLY REPORT” and inserting “SEMIANNUAL REPORT”;

(2) by striking “calendar quarter” and inserting “calendar half”; and

(3) by striking “such calendar quarter” and inserting “such calendar half”.

(b) MONTHLY COUNTERTERRORISM OPERATIONS BRIEFING.—

(1) IN GENERAL.—Section 485 of title 10, United States Code, is amended—

(A) in the section heading, by striking “Monthly” and inserting “Quarterly”; and

(B) in subsection (a), by striking “monthly” and inserting “quarterly”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 485 and inserting the following new item:

“485. Quarterly counterterrorism operations briefings.”.
(c) National Security Strategy for the National Technology and Industrial Base.—Section 4811(a) of title 10, United States Code, is amended by striking “The Secretary shall submit such strategy to Congress not later than 180 days after the date of submission of the national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 3043).” and inserting “The Secretary shall submit such strategy to Congress as an integrated part of the report submitted under section 4814 of this title.”.

(d) National Technology and Industrial Base Report and Quarterly Briefing.—

(1) In general.—Section 4814 of title 10, United States Code, is amended—

(A) by amending the section heading to read as follows:

“§ 4814. National Technology and Industrial Base: biennial report”;

(B) by striking “(a) Annual Report.—”;

(C) by striking “March 1 of each year” and inserting “March 1 of each odd-numbered year”; and

(D) by striking subsection (b).

(2) Clerical amendment.—The table of sections at the beginning of chapter 382 of such title
is amended by striking the item relating to section 4814 and inserting the following:

“4814. National Technology and Industrial Base: biennial report.”.

(3) **CONFORMING AMENDMENT.**—Section 858(b)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking subparagraph (A).

(e) **ANNUAL MILITARY CYBERSPACE OPERATIONS REPORT.**—Section 1644 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 394 note; Public Law 116–92) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) in the first sentence—

(A) by inserting “effects” after “all named military cyberspace”; and

(B) by striking “, operations, cyber effects enabling operations, and cyber operations conducted as defensive operations” and inserting “conducted for either offensive or defensive purposes”; and

(2) in subsection (c), by inserting “or cyber effects operations for which Congress has otherwise been provided notice” before the period.

(f) **INDEPENDENT STUDIES REGARDING POTENTIAL COST SAVINGS WITH RESPECT TO THE NUCLEAR SECURITY ENTERPRISE AND FORCE STRUCTURE.**—Section

(g) Extension and Modification of Authority to Provide Assistance to the Vetted Syrian Opposition.—Section 1231(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in the subsection heading, by striking “QUARTERLY” and inserting “SEMIANNUAL”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “quarterly” and inserting “semianual”; and

(B) in subparagraph (A), by striking “90-day” and inserting “180-day”.

(h) Extension of Authority to Provide Assistance to Counter the Islamic State of Iraq and Syria.—Section 1233(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in the heading, by striking “QUARTERLY” and inserting “SEMIANNUAL”; and
(2) in paragraph (1) in the second sentence of the matter preceding subparagraph (A), by striking “quarterly” and inserting “semiannual”.

(i) Theft, Loss, or Release of Biological Select Agents or Toxins Involving Department of Defense.—Section 1067(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 1528(a)) is amended to read as follows:

“(a) Notification.—(1) Subject to paragraph (2), not later than 45 days after a covered report of any theft, loss, or release of a biological select agent or toxin involving the Department of Defense is filed with the Centers for Disease Control and Prevention or the Animal and Plant Health Inspection Service, the Secretary of Defense, acting through the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs, shall provide to the congressional defense committees notice of such theft, loss, or release.

“(2) The Secretary shall provide to the congressional defense committees notice of a release under paragraph (1) only if the Secretary, acting through the Assistant Secretary, determines that the release is outside the barriers of secondary containment into the ambient air or environment or is causing occupational exposure that presents a threat to public safety.
“(3) In this subsection, the term ‘covered report’ means a report filed under any of the following (or any successor regulations):

“(A) Section 331.19 of title 7, Code of Federal Regulations.

“(B) Section 121.19 of title 9, Code of Federal Regulations.

“(C) Section 73.19 of title 42, Code of Federal Regulations.”.

(j) DEPARTMENT OF DEFENSE SECURITY COOPERATION WORKFORCE DEVELOPMENT.—Section 1250(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2529) is amended—

(1) in paragraph (1), by striking “each year” and inserting “every other year”; and

(2) in paragraph (2) in the matter preceding subparagraph (A), by striking “for the fiscal year” and inserting “for the fiscal years”.

(k) AUDIT OF DEPARTMENT OF DEFENSE FINANCIAL STATEMENTS.—Section 240a of title 10, United States Code, is amended—

(1) by striking “(A) ANNUAL AUDIT REQUIRED.—”; and

(2) by striking subsection (b).
(1) **Financial Improvement and Audit Remediation Plan.**—Section 240b(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “June 30, 2019, and annually thereafter” and inserting “July 31 each year”;

(B) in subparagraph (B)—

(i) by striking clauses (vii) through (x); and

(ii) by redesignating clauses (xi), (xii), and (xiii) as clauses (vii), (viii), and (ix), respectively; and

(C) by striking subparagraph (C); and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “June 30” and inserting “July 31”; and

(ii) by striking the second sentence;

and

(B) in subparagraph (b)—

(i) by striking “June 30” and inserting “July 31”; and

(ii) by striking the second sentence.
(m) **ANNUAL REPORTS ON FUNDING.**—Section 1009(c) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 240b note) is amended by striking “five days” and inserting “10 days”.

**SEC. 1055. REPORT ON EQUIPPING CERTAIN GROUND COMBAT UNITS WITH SMALL UNMANNED AERIAL SYSTEMS.**

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the congressional defense committees a report on equipping platoon-sized ground combat formations with covered small unmanned aerial systems.

(b) **ELEMENTS.**—The report submitted pursuant to subsection (a) shall address the following:

1. The use of covered small unmanned aerial systems in the Ukraine conflict and best practices learned.

2. The potential use of covered small unmanned aerial systems to augment small unit tactics and lethality in the ground combat forces.

3. Procurement challenges, legal restrictions, training shortfalls, operational limitations, or other
impediments to fielding covered small unmanned aerial systems at the platoon level.

(4) A plan to equip platoon-sized ground combat formations in the close combat force with covered small unmanned aerial systems at a basis of issue deemed appropriate by the relevant secretary, including a proposed timeline and fielding strategy.

(5) A plan to equip such other ground combat units with covered small unmanned aerial systems as deemed appropriate by the relevant secretaries.

(6) An assessment of appropriate mission allocation between Group 3 unmanned aerial systems, Group 1 unmanned aerial systems, and covered small unmanned aerial systems.

(c) Definition of Covered Small Unmanned Aerial System.—In this section, the term “covered small unmanned aerial system” means a lightweight, low-cost, and commercially available unmanned aerial system or drone able to be quickly deployed for—

(1) intelligence, surveillance, target acquisition, and reconnaissance;

(2) conducting offensive strikes; or

(3) other functions as deemed appropriate by the relevant secretaries.
SEC. 1056. COMPREHENSIVE ASSESSMENT OF MARINE CORPS FORCE DESIGN 2030.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a Federally Funded Research and Development Center to conduct an independent review, assessment, and analysis of the Marine Corps modernization initiatives. The required report shall be submitted to the congressional defense committees in written report form not later than one year after entering into the contract.

(b) Elements.—The report required under subsection (a) shall include the following elements:

(1) An assessment of changes in the National Defense Strategy, Defense Planning Guidance, the Joint Warfighting Concept, and other strategic documents and concepts that informed Force Design modernization requirements.

(2) An assessment of how the Marine Corps, consistent with authorized end strength, can be structured, organized, trained, equipped, and postured to meet the challenges of future competition, crisis, and conflict to include discussion of multiple structural options as relevant and the tradeoffs between different options.
(3) An assessment of the ability of the defense innovation base and defense industrial base to develop and produce the technologies required to implement the Marine Corps’ published Force Design modernization plan on a timeline and at production rates sufficient to sustain military operations.

(4) An assessment of forward infrastructure and the extent to which installations are operationalized to deter, compete, and prevail during conflict in support of the Marine Corps modernization.

(5) An assessment of whether the Marine Corps is in compliance with the statutory organization and functions prescribed in section 8063 of title 10, United States Code.

(6) An assessment of the current retention and recruiting environment and the ability of the Marine Corps to sustain manpower requirements necessary for operational requirements levied by title 10, in light of the published Force Design plan.

(7) The extent to which the modernization initiatives within the Marine Corps are nested within applicable joint warfighting concepts.
(8) An assessment of whether the Marine Corps’ modernization is consistent with the strategy of integrated deterrence.

(9) An assessment of the ability of the Marine Corps to generate required force elements for the Immediate Ready Force and the Contingency Ready Force, based on current and planned end strength and structure.

(10) The extent to which the Marine Corps’ published plan for modernized capabilities can be integrated across the Joint Force, to include warfighting concepts at the combatant command level.

(11) The extent to which the Marine Corps’ modernization efforts currently meet the requirements of combatant commanders’ current plans and global force management operations, to include a description of what mechanisms exist to ensure geographic combatant requirements inform Marine Corps modernization efforts.

(12) The extent to which modeling and simulation, experimentation, wargaming, and other analytic methods support the changes incorporated into the Marine Corps’ modernization initiatives, to include
underlying assumptions and outcomes of such analyses.

(13) An inventory of extant or planned investments as part of the Marine Corps’ modernization efforts, disaggregated by the following capability areas and including actual or projected dates of Initial Operational Capability and Full Operational Capability:

(A) Command and Control.

(B) Information.

(C) Intelligence.

(D) Fires.

(E) Movement and Maneuver.

(F) Protection.

(G) Sustainment.

(14) An inventory of divestments of capability or capacity, whether force structure or equipment, starting in fiscal year 2020, including—

(A) a timeline of the progress of each divestment;

(B) the type of force structure or equipment divested or reduced;

(C) the percentage of force structure of equipment divested or reduced, including any
equipment entered into inventory management
or other form of storage;

(D) the rationale and context behind such
divestment; and

(E) an identification of whether such di-
vestment affects the Marine Corps’ ability to
meet the requirements of Global Force Manage-
ment process and the operational plans.

(15) An assessment of how observations regard-
ing the invasion and defense of Ukraine affect the
feasibility, advisability, and suitability of the Marine
Corps’ published modernization plans.

(e) Classification of Report.—The report re-
quired under subsection (a) shall be submitted in unclassi-
fied form, but may include a classified appendix to the
extent required to ensure that the report is accurate and
complete.

SEC. 1057. STRATEGY TO ACHIEVE CRITICAL MINERAL SUP-
PLY CHAIN INDEPENDENCE FOR THE DE-
PARTMENT OF DEFENSE.

(a) Strategy Required.—

(1) In general.—Not later than 180 days
after the date of the enactment of this Act, the
Under Secretary of Defense for Acquisition and
Sustainment shall submit to the appropriate commit-
tees of Congress a strategy to develop supply chains for the Department of Defense that are not dependent on mining or processing of critical minerals in or by covered countries, prioritizing production and processing in the United States, in order to achieve critical mineral supply chain independence from covered countries for the Department by 2035.

(2) ELEMENTS.—The strategy required by paragraph (1) shall—

(A) identify and assess significant vulnerabilities in the supply chains of contractors and subcontractors of the Department of Defense involving critical minerals that are mined or processed in or by covered countries;

(B) identify and recommend changes to the acquisition laws, regulations, and policies of the Department of Defense to ensure contractors and subcontractors of the Department use supply chains involving critical minerals that are not mined or processed in or by covered countries to the greatest extent practicable, prioritizing production and processing in the United States;

(C) evaluate the utility and desirability of using authorities provided by the Defense Pro-
duction Act of 1950 (50 U.S.C. 4501 et seq.)
to expand supply chains and processing capac-
ity for critical minerals in the United States;

(D) evaluate the utility and desirability of
expanding authorities provided by the Defense
Production Act of 1950 to be used to expand
supply chains and processing capacity for crit-
ical minerals by countries that are allies or
partners of the United States;

(E) evaluate the utility and desirability of
leveraging the process for acquiring shortfall
materials for the National Defense Stockpile
under the Strategic and Critical Materials
Stock Piling Act (50 U.S.C. 98 et seq.) to ex-
pand supply chains and processing capacity for
critical minerals in the United States and in
countries that are allies or partners of the
United States;

(F) identify areas of potential engagement
and partnership with the governments of coun-
tries that are allies or partners of the United
States to jointly reduce dependence on critical
minerals mined or processed in or by covered
countries;
(G) identify and recommend other policy changes that may be needed to achieve critical mineral supply chain independence from covered countries for the Department;

(H) identify and recommend measures to streamline authorities and policies with respect to critical minerals and supply chains for critical minerals; and

(I) prioritize the recommendations made in the strategy to achieve critical mineral supply chain independence from covered countries for the Department, prioritizing production and processing in the United States, and taking into consideration economic costs and varying degrees of vulnerability posed to the national security of the United States by reliance on different types of critical minerals.

(3) FORM OF STRATEGY.—The strategy required by paragraph (1) shall be submitted in classified form but shall include an unclassified summary.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—
(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) Covered country.—The term “covered country” means—

(A) a covered nation, as defined in section 4872, title 10, United States Code; and

(B) any other country determined by the Secretary of Defense to be a geostrategic competitor or adversary of the United States for purposes of this Act.

(3) Critical mineral.—The term “critical mineral” means a critical mineral (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a))) that the Secretary of Defense determines to be important to the national security of the United States for purposes of this Act.

(4) Shortfall material.—The term “shortfall material” means materials determined to be in shortfall in the most recent report on stockpile requirements submitted to Congress under subsection (a) of section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5) and in-
cluded in the most recent briefing required by subsection (f) of that section.

SEC. 1058. QUARTERLY BRIEFING ON HOMELAND DEFENSE PLANNING.

(a) In General.—Not later than February 1, 2024, and every 90 days thereafter through February 1, 2026, the Secretary of Defense shall provide a briefing to the congressional defense committees on efforts to bolster homeland defense, which is the top priority under the 2022 National Defense Strategy.

(b) Contents.—Each briefing required by subsection (a) shall include the following:

(1) A summary of any update made to the homeland defense planning guidance of the Department of Defense during the preceding quarter.

(2) An update on the latest threats to the homeland posed by the Government of the People’s Republic of China, the Government of the Russian Federation, the Government of the Democratic People’s Republic of Korea, the Government of Iran, and any other adversary.

(3) A description of actions taken by the Department during the preceding quarter to mitigate such threats.
(4) An assessment of threats to the homeland in the event of a conflict with any adversary referred to in paragraph (2).

(5) A description of actions taken by the Department during the preceding quarter to bolster homeland defense in the event of such a conflict.

(6) An update on coordination by the Department with Federal, State, and Tribal agencies to bolster homeland defense.

(7) Any other matter the Secretary considers relevant.

SEC. 1059. SPECIAL OPERATIONS FORCE STRUCTURE.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) special operations forces have a vital and increasing role to play in strategic competition in addition to conducting counterterrorism operations and responding to crises;

(2) the demand for special operations forces and related capabilities by combatant commanders continues to exceed supply;

(3) special operations forces cannot be mass produced during a crisis;
(4) most special operations require non-special operations forces support, including engineers, technicians, intelligence analysts, and logisticians;

(5) reductions to special operations forces, including critical enablers, would dramatically and negatively impact available options for combatant commanders to engage in strategic competition, carry out counterterrorism operations, and respond to crises; and

(6) the Secretary of Defense should not consider any reductions to special operations force structure until after the completion of a comprehensive analysis of special operations force structure and a determination that any planned changes would not have a negative impact on the ability of combatant commanders to support strategic competition, counter terrorism, and respond to crises.

(b) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report assessing the optimal force structure for special operations forces that includes the following elements:

(1) A description of the role of special operations forces in implementing the most recent na-
tional defense strategy under section 113(g) of title 10, United States Code.

(2) A description of ongoing special operations activities, as described in section 167(k) of title 10, United States Code.

(3) An assessment of potential future national security threats to the United States across the spectrum of competition and conflict.

(4) A description of ongoing counterterrorism and contingency operations of the United States.

(5) A detailed accounting of the demand for special operations forces by geographic combatant command.

(6) A description of the role of emerging technology on special operations forces.

(7) An assessment of current and projected capabilities of other United States Armed Forces that could affect force structure capability and capacity requirements of special operations forces.

(8) An assessment of the size, composition, and organizational structure of the military services' special operations command headquarters and subordinate headquarters elements.
(9) An assessment of the readiness of special operations forces for assigned missions and future conflicts.

(10) An assessment of the adequacy of special operations force structure for meeting the goals of the National Military Strategy under section 153(b) of title 10, United States Code.

(11) A description of the role of special operations forces in supporting the Joint Concept for Competing.

(12) Any other matters deemed relevant by the Secretary.

SEC. 1060. BRIEFING ON COMMERCIAL TOOLS EMPLOYED BY THE DEPARTMENT OF DEFENSE TO ASSESS FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on countering industrial espionage.

(b) ELEMENTS.—The request required under subsection (a) shall include the following elements:

(1) A description of commercial and organically developed tools employed by the Department of Defense to—
(A) assess the risks of foreign malign ownership, control, or influence within the defense industrial base;

(B) mitigate vulnerability associated with, but no limited to, the People’s Republic of China’s, the Russian Federation’s, Iran’s, or North Korea’s foreign ownership, control, or influence of any part of the acquisition supply chain; and

(C) vet program personnel to identify technologies and program components most at risk for industrial espionage.

(2) A description of specific commercial solutions the Department is currently leveraging to assess and mitigate these risks.

SEC. 1061. PLAN ON COUNTERING HUMAN TRAFFICKING.

(a) Plan.—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall submit a plan to the congressional defense committees for coordinating with defense partners in North America and South America and supporting interagency departments and agencies, as appropriate, in countering human trafficking operations, including human trafficking by transnational criminal organizations.

(b) Elements of Plan.—The plan under subsection (a) shall include—
(1) a description of the threat to United States security from human trafficking operations;

(2) a description of the authorities of the Department of Defense for the purposes specified in subsection (a);

(3) a description of any current or proposed Department of Defense programs or activities to coordinate with defense partners or provide support to interagency departments and agencies as described in subsection (a); and

(4) any recommendations of the Secretary of Defense for additional authorities for the purposes of countering human trafficking, including by transnational criminal organizations.

(c) BRIEFING.—Not later than 180 days after the submission of the plan required under subsection (a), the Secretary of Defense shall brief the congressional defense committees regarding the authorities, programs, and activities of the Department of Defense to counter human trafficking operations.

SEC. 1062. BRIEFING AND REPORT ON USE AND EFFECTIVENESS OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than April 30, 2024, the Secretary of Defense shall provide to the Committee on
Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing and report on whether United States Naval Station, Guantanamo Bay, Cuba, is being used effectively to defend the national security interests of the United States.

(b) ELEMENTS.—The briefing and report required by subsection (a) shall—

(1) consider—

(A) the presence and activities in Cuba of the militaries of foreign governments, such as the Russian Federation and the People’s Republic of China; and

(B) to what extent the presence and activities of those militaries could compromise the national security of the United States or of United States allies and partners; and

(2) discuss—

(A) options for dealing with the presence and activities of those militaries in Cuba; and

(B) how different use by the United States of United States Naval Station, Guantanamo Bay, might mitigate risk.
Subtitle G—Other Matters

SEC. 1071. MATTERS RELATED TO IRREGULAR WARFARE.

(a) Affirming the Authority of the Secretary
of Defense to Conduct Irregular Warfare.—Congress affirms that the Secretary of Defense is authorized
to conduct irregular warfare operations, including clandestine irregular warfare operations, to defend the United
States, allies of the United States, and interests of the
United States.

(b) Definition Required.—Not later than 90 days
after the date of the enactment of this Act, the Secretary
of Defense shall, for the purposes of joint doctrine, define
the term “irregular warfare”.

(c) Rule of Construction.—Nothing in this sec-
tion shall be construed to constitute a specific statutory
authorization for any of the following:

(1) The conduct of a covert action, as such
term is defined in section 503(e) of the National Se-
curity Act of 1947 (50 U.S.C. 3093(e)).

(2) The introduction of United States Armed
Forces, within the meaning of the War Powers Reso-
lution (Public Law 93–148; 50 U.S.C. 1541 et seq.),
into hostilities or into situations wherein hostilities
are clearly indicated by the circumstances.
SEC. 1072. JOINT CONCEPT FOR COMPETING IMPLEMENTATION UPDATES.

(a) IMPLEMENTATION UPDATE AND BRIEFINGS REQUIRED.—Not later than March 1, 2024, and every 180 days thereafter through March 1, 2026, the Chairman of the Joint Chiefs of Staff shall provide the congressional defense committees with a written update with accompanying briefing on the implementation of the Joint Concept for Competing, released on February 10, 2023.

(b) ELEMENTS.—At a minimum, the written updates and briefings required by subsection (a) shall include—

(1) a detailed description of the Joint Staff’s efforts to develop integrated competitive strategies to address the challenges posed by specific adversaries, including those designed to—

(A) deter aggression;

(B) prepare for armed conflict, if necessary;

(C) counter the competitive strategies of adversaries; and

(D) support the efforts of interagency, allies and foreign partners, and interorganizational partners;

(2) an identification of relevant updates to joint doctrine and professional military education;
(3) an update on the Joint Concept for Competing’s concept required capabilities;

(4) an explanation of the integration of the Joint Concept for Competing with other ongoing and future joint force development and design efforts;

(5) a description of efforts to operationalize the Joint Concept for Competing through a structured approach, including to provide strategic guidance and direction, identify and optimize Joint Force interdependencies with interagency and allied partners, and inform and guide joint force development and design processes;

(6) an articulation of concept-required capabilities that are necessary for joint force development and design in support of the Joint Concept for Competing;

(7) a description of efforts to coordinate and synchronize Department of Defense activities with those of other interagency and foreign partners for the purpose of integrated campaigning;

(8) an identification of any recommendations to better integrate the role of the Joint Force, as identified by the Joint Concept for Competing, with national security efforts of other interagency and foreign partners;
(9) an identification of any changes to authorities and resources necessary to fully implement the Joint Concept for Competing; and

(10) a description of any other matters deemed relevant by the Chairman of the Joint Chiefs of Staff.

SEC. 1073. LIMITATION ON CERTAIN FUNDING UNTIL SUBMISSION OF THE CHAIRMAN’S RISK ASSESSMENT AND BRIEFING REQUIREMENT.

(a) Office of the Chairman of the Joint Chiefs of Staff.—Of the amounts authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Chairman of the Joint Chiefs of Staff, not more than 50 percent may be obligated or expended until the date that is 15 days after the date on which the following reports are submitted to the Committees on Armed Services of the Senate and the House of Representatives:

(1) The 2021 risk assessment mandated by paragraph (2) of subsection (b) of section 153 of title 10, United States Code, and required to be delivered pursuant to paragraph (3) of such subsection by not later than February 15, 2021.

(2) The 2023 risk assessment mandated by paragraph (2) of subsection (b) of section 153 of
title 10, United States Code, and required to be delivered pursuant to paragraph (3) of such subsection by not later than February 15, 2023.

(b) Office of the Secretary of Defense.—Of the amounts authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 50 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives:

(1) The risk mitigation plan required to be submitted as part of the assessment described under subsection (a)(1), if applicable.

(2) The risk mitigation plan required to be submitted as part of the assessment described under subsection (a)(2), if applicable.

(c) Briefing Requirement.—Section 153 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) Briefing Requirement.—(1) Not later than 15 days after the submission of the risk assessment required under subsection (b)(2) or March 1 of each year, whichever is earlier, the Chairman shall provide to the Committees on Armed Services of the Senate and the
House of Representatives a briefing on the activities of
the Chairman under this section.

“(2) The briefing shall include—

“(A) a detailed review of the risk assessment
required under paragraph (2) of subsection (b), in-
cluding how it addresses the elements required in
subparagraph (B) of such paragraph;

“(B) an analysis of how the risk assessment in-
forms, and supports, other Joint Staff assessments,
including joint capability development assessments,
joint force development assessments, comprehensive
joint readiness assessments, and global military inte-
gration assessments; and

“(C) if the risk assessment is not delivered at
the time of the briefing, a timeline for when the risk
assessment will be submitted to the Committees on
Armed Services of the Senate and the House of Rep-
resentatives.”.

SEC. 1074. NOTIFICATION OF SAFETY AND SECURITY CON-
CERNS AT CERTAIN DEPARTMENT OF DE-
FENSE LABORATORIES.

(a) IN GENERAL.—The Secretary of Defense shall
notify the congressional defense committees within 7 days
after ceasing operations at any Department of Defense
laboratory or facility rated at biosafety level (BSL)-3 or higher for safety or security reasons.

(b) CONTENT.—The notification required under subsection (a) shall include—

(1) the reason why operations have ceased at the laboratory or facility;

(2) whether appropriate notification to other Federal agencies has occurred;

(3) a description of the actions taken to determine the root cause of the cessation; and

(4) a description of the actions taken to restore operations at the laboratory or facility.

SEC. 1075. ASSESSMENT AND RECOMMENDATIONS RELATING TO INFRASTRUCTURE, CAPACITY, RESOURCES, AND PERSONNEL IN GUAM.

(a) ASSESSMENT.—The Secretary of Defense, in coordination with the Commander of United States Indo-Pacific Command, shall assess the capacity of existing infrastructure, resources, and personnel available in Guam to meet Indo-Pacific Command strategic objectives.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following elements:

(1) An appraisal of the potential role Guam could play as a key logistics and operational hub for
the United States military in the Indo-Pacific region.

(2) An assessment of whether current infra-
structure, capacity, resources, and personnel in
Guam is sufficient to meet the expected demands
during relevant operations and contingency sce-
narios.

(3) An assessment of the adequacy of civilian
infrastructure in Guam for supporting the require-
ments of United States Indo-Pacific Command, in-
cluding the resilience of such infrastructure in the
event of a natural disaster and the vulnerability of
such infrastructure to cyber threats.

(4) Recommendations to improve current infra-
structure, capacity, resources, and personnel in
Guam, to include the need for recruiting and reten-
tion programs, such as cost-of-living adjustments,
initiatives for dealing with any shortages of civilian
employees, and programs to improve quality-of-life
for personnel assigned to Guam.

(5) An assessment of the implementation of
Joint Task Force Micronesia, including the Com-
mander’s assessment of requirements for funding,
resources, and personnel as compared to what has
been programmed in the fiscal year 2024 Future Years Defense Program.

(6) Timeline and estimated costs by location and project to support both existing and future roles in the region.

(7) Any other matters determined relevant by the Secretary.

(c) Report.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report including the results of the assessment required under subsection (a).

SEC. 1076. PROGRAM AND PROCESSES RELATING TO FOREIGN ACQUISITION.

(a) Pilot Program for Combatant Command Use of Defense Acquisition Workforce Development Account.—Each geographic combatant command may use amounts from the Defense Acquisition Workforce Development Account established under section 1705 of title 10, United States Code, to hire not more than two acquisition specialists or contracting officers to advise the combatant command on foreign arms transfer processes, including the foreign military sales and direct commercial sales processes, for the purpose of facilitating the effective implementation of such processes.

(b) Industry Day.—
(1) IN GENERAL.—Not later than March 1, 2024, and not less frequently than annually thereafter, the Secretary of Defense shall conduct an industry day—

(A) to raise awareness and understanding among officials of foreign governments, embassy personnel, and industry representatives with respect to the role of the Department of Defense in implementing the foreign military sales and direct commercial sales processes; and

(B) to raise awareness—

(i) within the United States private sector with respect to—

(I) foreign demand for United States weapon systems; and

(II) potential foreign industry partnering opportunities; and

(ii) among officials of foreign governments and embassy personal with respect to potential United States material solutions for capability needs.

(2) FORMAT.—In conducting each industry day under paragraph (1), the Secretary of Defense, to the extent practicable, shall seek to maximize participation by representatives of the commercial de-
fense industry and government officials while mini-
mizing cost, by—

(A) convening the industry day at the un-
classified security level;

(B) making the industry day publicly ac-
cessible through teleconference or other virtual
means; and

(C) disseminating any supporting materials
by posting the materials on a publicly accessible
internet website.

(c) Senior-level Industry Advisory Group.—

(1) In general.—Not later than 180 days
after the date of the enactment of this Act, the Sec-
retary of Defense, in coordination with representa-
tives of the commercial defense industry, shall estab-
lish a senior-level industry advisory group, modeled
on the Defense Trade Advisory Group of the De-
partment of State and the Industry Trade Advisory
Committees of the Department of Commerce, for the
purpose of focusing on the role of the Department
of Defense in the foreign military sales process.

(2) Briefing.—Not later than 90 days after
the date of the enactment of this Act, the Secretary
of Defense shall provide a briefing to the Commit-
tees on Armed Services of the Senate and the House
of Representatives on plans to establish the group described in paragraph (1).

(d) DEPARTMENT OF DEFENSE POINTS OF CONTACT FOR FOREIGN MILITARY SALES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment and the Secretary of each military department shall each establish a single point of contact—

(A) to coordinate information and outreach on Department of Defense implementation of the foreign military sales process; and

(B) to respond to inquiries from representatives of the commercial defense industry and partner countries.

(2) POINTS OF CONTACT.—The Under Secretary of Defense for Acquisition and Sustainment and the Secretary of each military department shall each ensure that the contact information for the corresponding point of contact established under paragraph (1) is—

(A) publicized at each industry day conducted under subsection (b); and
(B) disseminated among the members of
the advisory group established under subsection
(f).
(e) Combatant Command Needs for Exportability.—Not later than July 1 each year until
2030, the commander of each geographic combatant com-
mand shall provide to the Under Secretary of Defense for
Acquisition and Sustainment a list of systems relating to
research and development or sustainment that would ben-
efit from investment for exportability features in support
of the security cooperation objectives of the commander.
(f) Sunset.—This section shall cease to have effect
on December 31, 2028.
SEC. 1077. TECHNICAL AND CONFORMING AMENDMENTS
RELATED TO THE SPACE FORCE.
(a) Appointment of Chairman; Grade and
Rank.—Section 152(c) of title 10, United States Code,
is amended by striking “or, in the case of an officer of
the Space Force, the equivalent grade,”.
(b) Joint Requirements Oversight Council.—
Section 181(c)(1)(F) of such title is amended by striking
“in the grade equivalent to the grade of general in the
Army, Air Force, or Marine Corps, or admiral in the
Navy” and inserting “in the grade of general”.


(c) Original Appointments of Commissioned Officers.—Section 531(a) of such title is amended—

(1) in paragraph (1), by striking “and Regular Marine Corps in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy, and in the equivalent grades in the Regular Space Force” and inserting “Regular Marine Corps, and Regular Space Force, and in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy”; and

(2) in paragraph (2), by striking “and Regular Marine Corps in the grades of lieutenant commander, commander, and captain in the Regular Navy, and in the equivalent grades in the Regular Space Force” and inserting “Regular Marine Corps, and Regular Space Force, and in the grades of lieutenant commander, commander, and captain in the Regular Navy”.

(d) Service Credit Upon Original Appointment as a Commissioned Officer.—Section 533(b)(2) of such title is amended—

(1) by striking “, or Marine Corps, captain in the Navy, or an equivalent grade in the Space Force” and inserting “Marine Corps, or Space Force or captain in the Navy”.
(e) Positions of Importance and Responsibility.—Section 601(e) of such title is amended—

(1) by striking “or Marine Corps” and inserting “Marine Corps, or Space Force, or”; and

(2) by striking “or the commensurate grades in the Space Force,”.

(f) Convening of Selection Boards.—Section 611(a) of such title is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(g) Information Furnished to Selection Boards.—Section 615(a)(3) of such title is amended—

(1) in subparagraph (B)(i), by striking “, in the case of the Navy, lieutenant, or in the case of the Space Force, the equivalent grade” and inserting “or, in the case of the Navy, lieutenant”; and

(2) in subparagraph (D), by striking “in the case of the Navy, rear admiral, or, in the case of the Space Force, the equivalent grade” and inserting “or, in the case of the Navy, rear admiral”.

(h) Special Selection Review Boards.—Section 628a(a)(1)(A) of such title is amended by striking “, rear admiral in the Navy, or an equivalent grade in the Space Force” and inserting “or rear admiral in the Navy”.

(i) Rank: Commissioned Officers of the Armed Forces.—Section 741(a) of such title is amended in the
table by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”.

(j) REGULAR COMMISSIONED OFFICERS.—Section 1370 of such title is amended—

(1) in subsection (a)(2), by striking “rear admiral in the Navy, or the equivalent grade in the Space Force” both places it appears and inserting “or rear admiral in the Navy”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “or Marine Corps, lieutenant in the Navy, or the equivalent grade in the Space Force” and inserting “Marine Corps, or Space Force, or lieutenant in the Navy”; and

(ii) in subparagraph (B), by striking “or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force” and inserting “Marine Corps, or Space Force, or rear admiral in the Navy”; 

(B) in paragraph (4), by striking “or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force” and inserting
“Marine Corps, or Space Force, or captain in the Navy”;

(C) in paragraph (5)—

(i) in subparagraph (A), by striking “or Marine Corps, lieutenant commander in the Navy, or the equivalent grade in the Space Force” and inserting “Marine Corps, or Space Force, or lieutenant commander in the Navy”; 

(ii) in subparagraph (B), by striking “or Marine Corps, commander or captain in the Navy, or an equivalent grade in the Space Force” and inserting “Marine Corps, or Space Force, or commander or captain in the Navy”; and 

(iii) in subparagraph (C), by striking “or Marine Corps, rear admiral (lower half) or rear admiral in the Navy” and inserting “Marine Corps, or Space Corps, or rear admiral (lower half) or rear admiral in the Navy”; and

(D) in paragraph (6), by striking “, or an equivalent grade in the Space Force,”;

(3) in subsection (c)(1), by striking “or Marine Corps, vice admiral or admiral in the Navy, or an
equivalent grade in the Space Force” and inserting
“Marine Corps, or Space Force, or vice admiral or
admiral in the Navy”; 

(4) in subsection (d)—

(A) in paragraph (1), by striking “or Ma-
rine Corps, rear admiral in the Navy, or an
equivalent grade in the Space Force” and in-
serting “Marine Corps, or Space Force, or rear
admiral in the Navy”; and

(B) in paragraph (3), by striking “or Ma-
rine Corps, captain in the Navy, or the equiva-
ient grade in the Space Force” and inserting
“Marine Corps, or Space Force, or captain in
the Navy”;

(5) in subsection (e)(2), by striking “or Marine
Corps, vice admiral or admiral in the Navy, or an
equivalent grade in the Space Force” and inserting
“Marine Corps, or Space Force, or vice admiral or
admiral in the Navy”; 

(6) in subsection (f)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking
“or Marine Corps, rear admiral in the
Navy, or the equivalent grade in the Space
Force” and inserting “Marine Corps, or
Space Force, or rear admiral in the Navy”;
and
(ii) in subparagraph (B), by striking
“or Marine Corps, vice admiral or admiral
in the Navy, or an equivalent grade in the
Space Force” and inserting “Marine
Corps, or Space Force, or vice admiral or
admiral in the Navy”; and
(B) in paragraph (6)—
(i) in subparagraph (A), by striking
“or Marine Corps, rear admiral in the
Navy, or the equivalent grade in the Space
Force” and inserting “, Marine Corps, or
Space Force, or rear admiral in the Navy”; and
and
(ii) in subparagraph (B), by striking
“or Marine Corps, vice admiral or admiral
in the Navy, or an equivalent grade in the
Space Force” and inserting “Marine
Corps, or Space Force, or vice admiral or
admiral in the Navy”; and
(7) in subsection (g), by striking “or Marine
Corps, rear admiral in the Navy, or an equivalent
grade in the Space Force” and inserting “Marine
Corps, or Space Force, or rear admiral in the Navy”.

(k) Officers Entitled to Retired Pay for Non-regular Service.—Section 1370a of such title is amended—

(1) in subsection (d)(1), by striking “or Marine Corps” both places it appears and inserting “Marine Corps, or Space Force”; and

(2) in subsection (h), by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(l) Retired Base Pay.—Section 1406(i)(3)(B)(v) of such title is amended by striking “The senior enlisted advisor of the Space Force” and inserting “Chief Master Sergeant of the Space Force”.

(m) Financial Assistance Program for Specially Selected Members.—Section 2107 of such title is amended—

(1) in subsection (a)—

(A) by striking “, as a” and inserting “or as a”; and

(B) by striking “or Marine Corps, or as an officer in the equivalent grade in the Space Force” and inserting “Marine Corps, or Space Force”; and
(2) in subsection (d), by striking “lieutenant, ensign, or an equivalent grade in the Space Force,” and inserting “lieutenant or ensign.”


(o) Chief of Space Operations.—Section 9082 of such title is amended—

(1) in subsection (a), by striking “, flag, or equivalent” both places it appears; and

(2) in subsection (b), by striking “grade in the Space Force equivalent to the grade of general in the Army, Air Force, and Marine Corps, or admiral in the Navy” and inserting “grade of general”.

(p) Distinguished Flying Cross.—Section 9279(a) of such title is amended—

(1) by adding “or Space Force” after “Air Force”; and

(2) by adding “or space” after “aerial”.

(q) Airman’s Medal.—Section 9280(a)(1) of such title is amended by adding “or Space Force” after “Air Force”.
(r) Retired Grade of Commissioned Officers.—Section 9341 of such title is amended—
(1) in subsection (a)(2), by striking “or the Space Force”; and
(2) in subsection (b), by striking “or Reserve”.

(s) United States Air Force Institute of Technology: Administration.—Section 9414b(a)(2)(B) of such title is amended by striking “or the equivalent grade in the Space Force”.

(t) Air Force Academy Permanent Professors; Director of Admissions.—Section 9436 of such title is amended—
(1) in subsection (a)—
(A) in the first sentence, by striking “in the Air Force or the equivalent grade in the Space Force”;
(B) in the second sentence—
(i) by inserting “or Regular Space Force” after “Regular Air Force”; and
(ii) by striking “and a permanent professor appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force”; and
(C) in the third sentence, by striking “in the Air Force or the equivalent grade in the Space Force”; and

(2) in subsection (b)—

(A) in the first sentence, by striking “in the Air Force or the equivalent grade in the Space Force” both places it appears; and

(B) in the second sentence—

(i) by inserting “or Regular Space Force” after “Regular Air Force”; and

(ii) by striking “and a permanent pro-

fessor appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force”.

(u) Cadets: Degree and Commission on Graduation.—Section 9453(b) of such title is amended by strik-
ing “in the equivalent grade in”.

(v) Basic Pay Rates for Enlisted Members.—

(w) Pay of Senior Enlisted Members.—Section 210(c)(5) of title 37, United States Code, is amended by striking “the senior enlisted advisor of the Space Force” and inserting “the Chief Master Sergeant of the Space Force”.

(x) Personal Money Allowance.—Section 414(b) of title 37, United States Code, is amended by striking “the senior enlisted advisor of the Space Force” and inserting “the Chief Master Sergeant of the Space Force”.

SEC. 1078. AUTHORITY TO ESTABLISH COMMERCIAL INTEGRATION CELLS WITHIN CERTAIN COMBATANT COMMANDS.

(a) In General.—The Commander of the United States Africa Command, the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, the Commander of the United States Northern Command, and the Commander of the United States Southern Command may each establish—

(1) a commercial integration cell within their respective combatant command for the purpose of closely integrating public and private entities with capabilities relevant to the area of operation of such combatant command; and
(2) a chief technology officer position within their respective combatant command, who may—

(A) oversee such commercial integration cell; and

(B) report directly to the commander of the applicable combatant command.

(b) REQUIREMENTS AND AUTHORITIES.—In establishing the commercial integration cells under subsection (a)(1), each commander described in that paragraph may—

(1) make the applicable commercial integration cell available to commercial entities with existing Government contracts up to the Top Secret/Sensitive Compartmented Information clearance level;

(2) ensure that such commercial integration cell is an information-sharing partnership rather than a service contract;

(3) in the case of a solution identified within the commercial integration cell that requires resources, work within existing resources or processes to request such resources; and

(4) integrate lessons learned from the commercial integration cells of the United States Space Command and the United States Central Command.
(c) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Commander of the United States Africa Command, the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, the Commander of the United States Northern Command, and the Commander of the United States Southern Command shall each provide to the Committees on Armed Services of the Senate and the House of Representatives—

(1) a briefing on whether a commercial integration cell was implemented and any related progress, including any challenges to implementation;

(2) in the case of a commander of a combatant command who chooses not to use the authority provided in this section to establish a commercial integration cell or a chief technology officer—

(A) an explanation for not using such authority; and

(B) a description of the manner in which such commander is otherwise addressing the need to integrate commercial solutions; and

(3) in the case of a combatant command that has an official performing a role similar to the role described for a chief technology officer under sub-
section (a)(2), a detailed description of the role performed by such official.

SEC. 1079. MODIFICATION ON LIMITATION ON FUNDING FOR INSTITUTIONS OF HIGHER EDUCATION HOSTING CONFUCIUS INSTITUTES.


SEC. 1080. MODIFICATION OF DEFINITION OF DOMESTIC SOURCE FOR TITLE III OF DEFENSE PRODUCTION ACT OF 1950.

(a) In general.—Section 702(7) of such Act (50 U.S.C. 4552(7)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by striking "The term" and inserting the following:

"(A) In general.—Except as provided in subparagraph (B), the term";

(3) in clause (ii), as redesignated by paragraph (1), by striking "subparagraph (A)" and inserting "clause (i)"; and
(4) by adding at the end the following new sub-
paragraph (B):

“(B) Domestic source for title III.—

“(i) In general.—For purposes of
title III, the term ‘domestic source’ means
a business concern that—

“(I) performs substantially all of
the research and development, engi-
neering, manufacturing, and produc-
tion activities required of such busi-
ness concern under a contract with
the United States relating to a critical
component or a critical technology
item in—

“(aa) the United States or
Canada; or

“(bb) subject to clause (ii),
Australia or the United King-
dom; and

“(II) procures from business con-
cerns described in subclause (I) sub-
stantially all of any components or as-
semblies required under a contract
with the United States relating to a
critical component or critical technology item.

“(ii) Limitations on use of business concerns in Australia and United Kingdom.—

“(I) In general.—A business concern described in clause (i)(I)(bb) may be treated as a domestic source only for purposes of the exercise of authorities under title III relating to national defense matters that cannot be fully addressed with business concerns described in clause (i)(I)(aa).

“(II) National defense matters.—For purposes of subclause (I), a national defense matter is a matter relating to the development or production of—

“(aa) a defense article, as defined in section 301 of title 10, United States Code; or

“(bb) a material critical to national defense or national security, as defined in section 10(f) of the Strategic and Critical Mater-
(b) Reports on Exercise of Title III Authorities.—Title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) is amended by adding at the end the following new section:

“SEC. 305. REPORTS ON EXERCISE OF AUTHORITIES.

“(a) In General.—The President, or the head of an agency to which the President has delegated authorities under this title, shall submit a report and provide a briefing to the appropriate congressional committees with respect to any action taken pursuant to such authorities—

“(1) except as provided by paragraph (2), not later than 30 days after taking the action; and

“(2) in the case of an action that involves a business concern in the United Kingdom or Australia, not later than 30 days before taking the action.

“(b) Elements.—

“(1) In General.—Each report and briefing required by subsection (a) with respect to an action described in that subsection shall include—

“(A) a justification of the necessity of the use of authorities under this title; and
“(B) a description of the financial terms of any related financial transaction.

“(2) ADDITIONAL ELEMENTS RELATING TO BUSINESS CONCERNS IN THE UNITED KINGDOM OR AUSTRALIA.—Each report and briefing required by subsection (a) with respect to an action described in paragraph (2) of that subsection shall include, in addition to the elements under paragraph (1)—

“(A) a certification that business concerns in the United States or Canada were not available with respect to the action; and

“(B) an analysis of why such business concerns were not available.

“(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives; and

“(2) in the case of an action described in subsection (a) involving strategic and critical materials relating to national defense matters (as described in section 702(7)(B)(ii)(II)), the Committee on Energy and Natural Resources of the Senate and the Com-
mittee on Natural Resources of the House of Rep-
resentatives.”.

SEC. 1081. COMPREHENSIVE STRATEGY FOR TALENT DE-
VELOPMENT AND MANAGEMENT OF DEPART-
MENT OF DEFENSE COMPUTER PROGRAM-
MING WORKFORCE.

(a) POLICY.—It shall be a policy of the Armed
 Forces, including the reserve components, to establish ap-
propriate and effective talent development and manage-
ment policies and practices that allow for the military de-
partments to present an adaptable, qualified workforce
training and education standard with respect to computer
programming skill needs for the workforce of the Depart-
ment of Defense, including technical and nontechnical
skills related to artificial intelligence and software coding.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in
consultation with the Secretaries of each military de-
partment and the Chairman of the Joint Chiefs of
Staff, shall develop a strategy to achieve the policy
set forth in subsection (a).

(2) ELEMENTS.—The strategy required by
paragraph (1) shall include—

(A) the development, funding, and execu-
tion of a coherent approach and transparent
strategy across digital platforms and applications that enable development and presentation of forces with appropriate programmatic oversight for both active and reserve component workforces;

(B) the evaluation of the potential need for career field occupational codes or other service-specific talent management mechanisms aligned with the work roles related to computer programming, artificial intelligence and machine learning competency, and software engineering under the Department of Defense Cyber Workforce Framework to allow for the military departments to identify, assess, track, manage, and assign personnel with computer programming, coding, and artificial intelligence skills through established mechanisms, under the policies of the military departments with respect to career field management, including—

(i) development, modification, or re-validation of a career field or separate occupational code for computer programming occupational areas aligned with such work roles; and
(ii) development, modification, or re-validation of a unique special skills or experience designator or qualification, tracked independently of a career field, for computer programming occupational areas aligned with such work roles;

(C) the evaluation of current talent management processes to incorporate equivalency assessment as part of the qualification standard to accommodate experiences, training, or skills developed as a result of other work experience or training opportunities, including potentially from civilian occupations or commercially-available training courses

(D) assessment of members of the Armed Forces who have completed the qualification process of the military department concerned or who qualify based on existing skills and training across computer programming occupational areas; and

(E) maintaining data on, and longitudinal tracking of, members of the Armed Forces described in subparagraph (D).

(c) RESPONSIBILITIES.—The Secretary of each military department, in consultation with the Assistant Sec-
retary of the military department for Manpower and Reserve Affairs, the Chief Information Officer of the Department of Defense, and the Chief Digital and Artificial Intelligence Officer of the Office of the Secretary of Defense, shall—

(1) be responsible for development and implementation of the policy set forth in subsection (a) and strategy required by subsection (b); and

(2) carry out that responsibility through an officer or employee of the military department assigned by the Secretary for that purpose.

(d) DUTIES.—In developing and providing for the implementation of the policy set forth in subsection (a) and strategy required by subsection (b), the Secretary of each military department, in consultation with the Assistant Secretary of the military department for Manpower and Reserve Affairs, the Chief Information Officer of the military department, the Chief Information Officer of the Department of Defense, and the Chief Digital and Artificial Intelligence Officer of the Office of the Secretary of Defense, shall establish and update relevant policies and practices to enable the talent development and management to provide a workforce capable of conducting computer programming, software coding, and artificial intel-
ligence activities, including by meeting related manning, systems, training, and other related funding requirements.

(c) Strategy and Implementation Plans.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives the strategy required by subsection (b).

(2) Implementation Plans Required.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a implementation plan for the strategy required by subsection (b), including identification of resource needs and areas where current internal policy or legal statutes may need to be updated.

(f) Definitions.—In this section:

(1) Computer Programming Occupational Area.—The term “computer programming occupational area” means a technical or nontechnical occupational position that supports computer programming, coding, or artificial intelligence operations and development, including the following positions:
(A) Data scientists.
(B) Data engineers.
(C) Data analysts.
(D) Software developers.
(E) Machine learning engineers.
(F) Program managers.
(G) Acquisition professionals.

(2) **Digital Platform or Application.**—The term “digital platform or application” means an online integrated personnel management system or human capital solution.

(3) **Qualification Process.**—The term “qualification process”—
(A) means the process, modeled on a streamlined version of the process for obtaining joint qualifications, for training and verifying members of the Armed Forces to receive career field or occupational codes associated with computer programming occupational areas; and
(B) may include—
(i) experiences, education, and training received as a part of military service, including fellowships, talent exchanges, positions within government, and educational courses; and
(ii) in the case of members of the reserve components, experiences, education, and training received in their civilian occupations.

(4) STANDARD.—The term “standard” means the defined, reviewed, and published standard for occupational series or career fields that provides a measurable standard by which the military departments can assess the ability to meet their operational planning and steady-state force presentation requirements during the global force management process.

SEC. 1082. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF LANDMINES.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmine munitions before the date on which the Secretary of Defense submits the report required by subsection (c).

(b) EXCEPTION FOR SAFETY.—Subsection (a) shall not apply to any anti-personnel landmine munitions that the Secretary of Defense determines are unsafe or could
pose a safety risk to the United States Armed Forces if not demilitarized or destroyed.

(c) **Report Required.**—

(1) **In General.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes each of the following:

(A) A description of the policy of the Department of Defense regarding the use of anti-personnel landmines, including methods for commanders to seek waivers to use such munitions.

(B) Projections covering the period of 10 years following the date of the report of—

   (i) the inventory levels for all anti-personnel landmine munitions, taking into account future production of anti-personnel landmine munitions, any plans for demilitarization of such munitions, the age of the munitions, storage and safety considerations, and any other factors that are expected to impact the size of the inventory;

   (ii) the cost to achieve the inventory levels projected in clause (i), including the
cost for potential demilitarization or disposal of such munitions; and

(iii) the cost to develop and produce new anti-personnel landmine munitions the Secretary determines are necessary to meet the demands of operational plans.

(C) An assessment by the Chairman of the Joint Chiefs of Staff of the effects of the inventory levels projected under subparagraph (B)(i) on operational plans.

(D) Any inputs by the Chairman and the commanders of the combatant commands to a policy process that resulted in a change in landmine policy during the calendar year preceding the date of the enactment of this Act.

(E) Any other matters that the Secretary determines appropriate for inclusion in the report.

(2) Form of report.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) Briefing Required.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional
defense committees a briefing on the status, as of the date of the briefing, of research and development into operational alternatives to anti-personnel landmine munitions.

(2) FORM OF BRIEFING.—The briefing required by paragraph (1) may contain classified information.

(e) ANTI-PERSONNEL LANDMINE MUNITIONS DEFINED.—In this section, the term “anti-personnel landmine munitions” includes anti-personnel landmines and submunitions, as defined by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, concluded at Oslo September 18, 1997, as determined by the Secretary.

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

**SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**

**ANNUAL LIMITATION ON PREMIUM PAY AND**

**AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.**

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1102 of the James M. Inhofe National
SEC. 1102. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


SEC. 1103. EXCLUSION OF POSITIONS IN NON-APPROPRIATED FUND INSTRUMENTALITIES FROM LIMITATIONS ON DUAL PAY.

Section 5531(2) of title 5, United States Code, is amended by striking “Government corporation and” and inserting “Government corporation, but excluding”.
SEC. 1104. EXCEPTION TO LIMITATION ON NUMBER OF SENIOR EXECUTIVE SERVICE POSITIONS FOR THE DEPARTMENT OF DEFENSE.

Section 1109(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2449; 5 U.S.C. 3133 note) is amended by adding at the end the following new paragraph:

“(3) EXCEPTION.—The limitation under this subsection shall not apply to positions described in this subsection that are fully funded through amounts appropriated to an agency other than the Department of Defense.”.

SEC. 1105. REMOVAL OF WASHINGTON HEADQUARTERS SERVICES DIRECT SUPPORT FROM PERSONNEL LIMITATION ON THE OFFICE OF THE SECRETARY OF DEFENSE.

Section 143(b) of title 10, United States Code, is amended by striking “(including Direct Support Activities of that Office and the Washington Headquarters Services of the Department of Defense)”.

SEC. 1106. CONSOLIDATION OF DIRECT HIRE AUTHORITY FOR CANDIDATES WITH SPECIFIED DEGREES AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 4091 of title 10, United States Code, is amended—
(1) in subsection (a)(1), by striking “bachelor’s degree” and inserting “bachelor’s or advanced degree”;

(2) in subsection (c)—

(A) in the subsection heading, by striking “CALENDAR YEAR” and inserting “FISCAL YEAR”;

(B) in the matter preceding paragraph (1), by striking “calendar year” and inserting “fiscal year”;

(C) in paragraph (1), by striking “6 percent” and inserting “11 percent”; and

(D) in paragraphs (1), (2), and (3), by striking “the fiscal year last ending before the start of such calendar year” and inserting “the preceding fiscal year”;

(3) by striking subsection (f); and

(4) by redesignating subsection (g) as subsection (f).

SEC. 1107. EXPANSION AND EXTENSION OF DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL OF THE DEPARTMENT OF DEFENSE.

Section 9905 of title 5, United States Code, is amended—
(1) in subsection (a), by adding at the end the following new paragraphs:

“(12) Any position in support of aircraft operations for which the Secretary determines there is a critical hiring need and shortage of candidates.

“(13) Any position in support of the safety of the public, law enforcement, or first response for which the Secretary determines there is a critical hiring need and shortage of candidates.

“(14) Any position in support of the Office of the Inspector General of the Department relating to oversight of the conflict in Ukraine for which the Secretary determines there is a critical hiring need and shortage of candidates.”; and

(2) in subsection (b)(1), by striking “September 30, 2025” and inserting “September 30, 2030”.

SEC. 1108. EXTENSION OF DIRECT HIRE AUTHORITY FOR THE DEPARTMENT OF DEFENSE FOR POST-SECONDARY STUDENTS AND RECENT GRADUATES.

Section 1106(d) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is amended by striking “September 30, 2025” and inserting “September 30, 2030”.

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SEC. 1109. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

Section 1125(a) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.; Public Law 114–328) is amended by striking “through 2025,” and inserting “through 2028,.”

SEC. 1110. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT SPACE FORCE SCHOOLS.

(a) IN GENERAL.—Section 9371 of title 10, United States Code, is amended—

(1) in the section heading, by inserting “and Space Delta 13” after “Air University”

(2) in subsection (a), by inserting “or of the Space Delta 13” after “Air University”; and

(3) in subsection (c)—

(A) in paragraphs (1), by inserting “or of the Space Delta 13” after “Air University”; and

(B) in paragraph (2), by inserting “or of the Space Delta 13” after “Air University”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 947 of such title is amended
by striking the item relating to section 9371 and inserting the following new item:

“9371. Air University and Space Delta 13: civilian faculty members.”.

SEC. 1111. REPORT AND SUNSET RELATING TO INAPPLICABILITY OF CERTIFICATION OF EXECUTIVE QUALIFICATIONS BY QUALIFICATION REVIEW BOARDS OF OFFICE OF PERSONNEL MANAGEMENT.


(1) in subsection (d)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “paragraph (3)” and inserting “paragraph (4)”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “paragraph (3)” and inserting “paragraph (4)”;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph (3):

“(3) ADDITIONAL REPORT.—Not later than December 1, 2024, the Secretary shall submit to the committees of Congress specified in paragraph (4) and the Comptroller General of the United States a
report on the use of the authority provided in this section. The report shall include the following:

“(A) The number and type of appointments made under this section between August 13, 2018, and the date of the report.

“(B) Data on and an assessment of whether appointments under the authority in this section reduced the time to hire when compared with the time to hire under the review system of the Office of Personnel Management in use as of the date of the report.

“(C) An assessment of the utility of the appointment authority and process under this section.

“(D) An assessment of whether the appointments made under this section resulted in higher quality new executives for the Senior Executive Service of the Department when compared with the executives produced in the Department under the review system in use between August 13, 2013, and August 13, 2018.

“(E) Any recommendation for the improvement of the selection and qualification process for the Senior Executive Service of the Department that the Secretary considers necessary in
order to attract and hire highly qualified can-
ididates for service in that Senior Executive 
Service.”; and 
(2) in subsection (e), by striking “August 13, 
2023” and inserting “September 30, 2025”.

SEC. 1112. EXTENSION OF DATE OF FIRST EMPLOYMENT 
FOR ACQUISITION OF COMPETITIVE STATUS 
FOR EMPLOYEES OF INSPECTORS GENERAL 
FOR OVERSEAS CONTINGENCY OPERATIONS.

Section 419(d)(5)(B) of title 5, United States Code, 
is amended by striking “2 years” and inserting “5 years”.

SEC. 1113. EXPANSION OF NONCOMPETITIVE APPOINT-
MENT ELIGIBILITY TO SPOUSES OF DEPART-
MENT OF DEFENSE CIVILIANS.

(a) In General.—Section 3330d of title 5, United 
States Code, is amended—

(1) in the section heading, by inserting “and 
Department of Defense civilian” after 
“military”; 

(2) in subsection (a), by adding at the end the 
following:

“(4) The term ‘spouse of an employee of the 
Department of Defense’ means an individual who is 
moved to an employee of the Department of De-
fense who is transferred in the interest of the Gov-
ernment from one official station within the Depart-
ment to another within the Department (that is out-
side of normal commuting distance) for permanent
duty.”; and

(3) in subsection (b)—

(A) in paragraph (1), by striking “or” at
the end;

(B) in paragraph (2), by striking the pe-
period at the end and inserting “; or”; and

(C) by adding at the end the following:
“(3) a spouse of an employee of the Depart-
ment of Defense.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—
The table of sections for subchapter I of chapter 33 of
title 5, United States Code, is amended by striking the
item relating to section 3330d and inserting the following:
“3330d. Appointment of military and Department of Defense civilian spouses.”.

(c) OPM LIMITATION AND REPORTS.—

(1) RELOCATING SPOUSES.—With respect to
the noncompetitive appointment of a relocating
spouse of an employee of the Department of Defense
under paragraph (3) of section 3330d(b) of title 5,
United States Code, as added by subsection (a), the
Director of the Office of Personnel Management
shall—
(A) monitor the number of those appointments;

(B) require the head of each agency with
the authority to make those appointments
under that provision to submit to the Director
an annual report on those appointments, includ-
ing information on the number of individuals so
appointed, the types of positions filled, and the
effectiveness of the authority for those appoint-
ments; and

(C) not later than 18 months after the
date of enactment of this Act, submit to the
Committee on Homeland Security and Govern-
mental Affairs of the Senate and the Committee
on Oversight and Accountability of the House
of Representatives a report on the use and ef-
fectiveness of the authority described in sub-
paragraph (B).

(2) NON-RELOCATING SPOUSES.—With respect
to the noncompetitive appointment of a spouse of an
employee of the Department of Defense other than
a relocating spouse described in paragraph (1), the
Director of the Office of Personnel Management—

(A) shall treat the spouse as a relocating
spouse under paragraph (1); and
(B) may limit the number of those appointments.

(d) SUNSET.—Effective on December 31, 2028—

(1) the authority provided by this section, and the amendments made by this section, shall expire; and

(2) the provisions of section 3330d of title 5, United States Code, amended or repealed by this section are restored or revived as if this section had not been enacted.

SEC. 1114. ELIMINATION OF GOVERNMENT ACCOUNTABILITY OFFICE REVIEW REQUIREMENT RELATING TO DEPARTMENT OF DEFENSE PERSONNEL AUTHORITIES.

Section 9902(h) of title 5, United States Code, is amended—

(1) in paragraph (1)(B), by striking “and the Comptroller General,”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 1115. AMENDMENTS TO THE JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.

(a) SELECTION OF PARTICIPANTS.—Subsection (d)(2) of section 932 of the John S. McCain National De-
Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 1580 note prec.; Public Law 115–232) is amended to read as follows:

“(2) **Geographical Representation.**—Out of the total number of individuals selected to participate in the fellows program in any year, not more than 20 percent may be from any of the following geographic regions:

“(A) The Northeast United States.

“(B) The Southeast United States.

“(C) The Midwest United States.

“(D) The Southwest United States.

“(E) The Western United States.

“(F) Alaska, Hawaii, United States territories, and areas outside the United States.”.

(b) **Appointment and Career Development.**—Such section is further amended—

(1) in subsection (d)(3)—

(A) by striking “assigned” and inserting “appointed”; and

(B) by striking “assignment” and inserting “appointment”; and

(2) by amending subsections (e) and (f) to read as follows:
“(e) APPOINTMENT DURING PARTICIPATION IN FELLOWS PROGRAM.—

“(1) IN GENERAL.—The Secretary of Defense shall appoint each individual who participates in the fellows program to an excepted service position in an element of the Department.

“(2) PLACEMENT OPPORTUNITIES.—Each year, the head of each element of the Department shall submit to the Secretary an identification of placement opportunities for participants in the fellows program. Such placement opportunities shall provide for leadership development and potential commencement of a career track toward a position of senior leadership in the Department.

“(3) QUALIFICATION REQUIREMENTS.—The Secretary, in coordination with the heads of elements of the Department, shall establish qualification requirements for the appointment of participants under paragraph (1).

“(4) MATCHING QUALIFICATIONS, SKILLS, AND REQUIREMENTS.—In making appointments under paragraph (1), the Secretary shall seek to best match the qualifications and skills of the participants with the requirements for positions available for appointment.
“(5) TERM.—The term of each appointment under the fellows program shall be one year, but the Secretary may extend a term of appointment up to one additional year.

“(6) GRADE.—The Secretary shall appoint an individual under paragraph (1) to a position at the level of GS–10, GS–11, or GS–12 of the General Schedule based on the directly related qualifications, skills, and professional experience of the individual.

“(7) EDUCATION LOAN REPAYMENT.—To the extent that funds are provided in advance in appropriations Acts, the Secretary may repay a loan of a participant in the fellows program if the loan is described by subparagraph (A), (B), or (C) of section 16301(a)(1) of title 10, United States Code. Any repayment of a loan under this paragraph may require a minimum service agreement, as determined by the Secretary.

“(8) ELEMENT OF THE DEPARTMENT DEFINED.—In this subsection, the term ‘element of the Department’ means an element of the Department specified in section 111(b) of title 10, United States Code.

“(f) CAREER DEVELOPMENT.—
“(1) IN GENERAL.—The Secretary of Defense shall ensure that participants in the fellows pro-
gram—

“(A) receive career development opportuni-
ties and support appropriate for the commence-
ment of a career track within the Department
leading toward a future position of senior lead-
ership within the Department, including ongo-
ing mentorship support through appropriate
personnel from entities within the Department;
and

“(B) are provided appropriate employment
opportunities for excepted service positions in
the Department upon successful completion of
the fellows program.

“(2) PUBLICATION OF SELECTION.—The Sec-
retary shall publish, on an internet website of the
Department available to the public, the names of the
individuals selected to participate in the fellows pro-
gram.”.

SEC. 1116. CIVILIAN CYBERSECURITY RESERVE PILOT
PROJECT.

(a) DEFINITION.—In this section, the term “tem-
porary position” means a position in the competitive or
excepted service for a period of 180 days or less.
(b) PILOT PROJECT.—

(1) IN GENERAL.—The Secretary of the Army shall carry out a pilot project to establish a Civilian Cybersecurity Reserve.

(2) PURPOSE.—The purpose of the Civilian Cybersecurity Reserve is to enable the Army to provide manpower to the United States Cyber Command to effectively—

(A) preempt, defeat, deter, or respond to malicious cyber activity;

(B) conduct cyberspace operations;

(C) secure information and systems of the Department of Defense against malicious cyber activity; and

(D) assist in solving cyber workforce-related challenges.

(3) HIRING AUTHORITY.—In carrying out this section, the Secretary may use any authority otherwise available to the Secretary for the recruitment, employment, and retention of civilian personnel within the Department, including authority under section 1599f of title 10, United States Code.

(4) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation
of benefits, and non-discrimination in reemployment
of individuals appointed under this section, provided
that such regulations shall include, at a minimum,
those rights and obligations set forth under chapter
43 of title 38, United States Code.

(5) STATUS IN RESERVE.—During the period
beginning on the date on which an individual is re-
cruited to serve in the Civilian Cybersecurity Reserve
and ending on the date on which the individual is
appointed under this section, and during any period
in between any such appointments, the individual
shall not be considered a Federal employee.

(c) ELIGIBILITY; APPLICATION AND SELECTION.—

(1) IN GENERAL.—Under the pilot project re-
quired under subsection (b)(1), the Secretary of the
Army shall establish criteria for—

(A) individuals to be eligible for the Civil-
ian Cybersecurity Reserve; and

(B) the application and selection processes
for the Civilian Cybersecurity Reserve.

(2) REQUIREMENTS FOR INDIVIDUALS.—The
criteria established under paragraph (1)(A) with re-
spect to an individual shall include—

(A) if the individual has previously served
as a member of the Civilian Cybersecurity Re-
serve, that the previous appointment ended not less than 60 days before the individual may be appointed for a subsequent temporary position in the Civilian Cybersecurity Reserve; and

(B) cybersecurity expertise.

(3) PRESCREENING.—The Secretary shall—

(A) conduct a prescreening of each individual prior to appointment under this section for any topic or product that would create a conflict of interest; and

(B) require each individual appointed under this section to notify the Secretary if a potential conflict of interest arises during the appointment.

(4) AGREEMENT REQUIRED.—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Secretary to become such a member, which shall set forth the rights and obligations of the individual and the Army.

(5) EXCEPTION FOR CONTINUING MILITARY SERVICE COMMITMENTS.—A member of the Selected Reserve under section 10143 of title 10, United States Code, may not be a member of the Civilian Cybersecurity Reserve.
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(6) Prohibition.—Any individual who is an employee of the executive branch may not be recruited or appointed to serve in the Civilian Cybersecurity Reserve.

(d) Security Clearances.—

(1) In general.—The Secretary of the Army shall ensure that all members of the Civilian Cybersecurity Reserve undergo the appropriate personnel vetting and adjudication commensurate with the duties of the position, including a determination of eligibility for access to classified information where a security clearance is necessary, according to applicable policy and authorities.

(2) Cost of sponsoring clearances.—If a member of the Civilian Cybersecurity Reserve requires a security clearance in order to carry out the duties of the member, the Army shall be responsible for the cost of sponsoring the security clearance of the member.

(e) Implementation Plan.—

(1) In general.—Not later than 180 days after the date on which the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the report required under
section 1540(d)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) on the feasibility and advis-
ability of creating and maintaining a civilian cyber-
security reserve corps, the Secretary of the Army shall—

(A) submit to the congressional defense committees an implementation plan for the pilot project required under subsection (b)(1); and

(B) provide to the congressional defense committees a briefing on the implementation plan.

(2) PROHIBITION.—The Secretary of the Army may not take any action to begin implementation of the pilot project required under subsection (b)(1) until the Secretary fulfills the requirements under paragraph (1).

(f) PROJECT GUIDANCE.—Not later than two years after the date of the enactment of this Act, the Secretary of the Army shall, in consultation with the Office of Personnel Management and the Office of Government Ethics, issue guidance establishing and implementing the pilot project required under subsection (b)(1).

(g) BRIEFINGS AND REPORT.—
(1) Briefings.—Not later than one year after
the date on which the guidance required under sub-
section (f) is issued, and every year thereafter until
the date on which the pilot project required under
subsection (b)(1) terminates under subsection (i),
the Secretary of the Army shall provide to the con-
gressional defense committees a briefing on activities
carried out under the pilot project, including—

(A) participation in the Civilian Cybersecu-

rity Reserve, including the number of partici-
pants, the diversity of participants, and any
barriers to recruitment or retention of mem-
bers;

(B) an evaluation of the ethical require-
ments of the pilot project;

(C) whether the Civilian Cybersecurity Re-
serve has been effective in providing additional
capacity to the Army; and

(D) an evaluation of the eligibility require-
ments for the pilot project.

(2) Report.—Not earlier than 180 days and
not later than 90 days before the date on which the
pilot project required under subsection (b)(1) termi-
nates under subsection (i), the Secretary shall sub-
mit to the congressional defense committees a report
and provide a briefing on recommendations relating
to the pilot project, including recommendations
for—

(A) whether the pilot project should be
modified, extended in duration, or established
as a permanent program, and if so, an appro-
priate scope for the program;

(B) how to attract participants, ensure a
diversity of participants, and address any bar-
riers to recruitment or retention of members of
the Civilian Cybersecurity Reserve;

(C) the ethical requirements of the pilot
project and the effectiveness of mitigation ef-
forts to address any conflict of interest con-
cerns; and

(D) an evaluation of the eligibility require-
ments for the pilot project.

(h) EVALUATION.—Not later than three years after
the pilot project required under subsection (b)(1) is estab-
lished, the Comptroller General of the United States
shall—

(1) conduct a study evaluating the pilot project;

and

(2) submit to Congress—
(A) a report on the results of the study;

and

(B) a recommendation with respect to

whether the pilot project should be modified.

(i) SUNSET.—The pilot project required under sub-
section (b)(1) shall terminate on the date that is four
years after the date on which the pilot project is estab-
lished.

TITLE XII—MATTERS RELATING
TO FOREIGN NATIONS
Subtitle A—Assistance and
Training

SEC. 1201. MIDDLE EAST INTEGRATED MARITIME DOMAIN
AWARENESS AND INTERDICTION CAPA-
BILITY.

(a) IN GENERAL.—The Secretary of Defense, using
existing authorities, shall seek to build upon the incorpora-
tion of Israel into the area of responsibility of the United
States Central Command to develop a Middle East inte-
grated maritime domain awareness and interdiction capa-
bility for the purpose of protecting the people, infrastruc-
ture, and territory of such countries from—

(1) manned and unmanned naval systems, un-
dersea warfare capabilities, and anti-ship missiles of
Iran and groups affiliated with Iran; and
(2) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways within the area of responsibility of the United States Naval Forces Central Command.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a strategy for the cooperation described in subsection (a).

(2) MATTERS TO BE INCLUDED.—The strategy required by paragraph (1) shall include the following:

(A) An assessment of the threats posed to ally or partner countries in the Middle East by—

(i) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(ii) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the wa-
terways within the area of responsibility of
the United States Naval Forces Central
Command.

(B) A description of existing multilateral
maritime partnerships currently led by the
United States Naval Forces Central Command,
including the Combined Maritime Forces (in-
cluding its associated Task Forces 150, 151,
152, and 153), the International Maritime Se-
curity Construct, and the Navy’s Task Force
59, and a discussion of the role of such partner-
ships in building an integrated maritime secu-
rity capability.

(C) A description of progress made in ad-
vancing the integration of Israel into the exist-
ing multilateral maritime partnerships de-
scribed in subparagraph (B).

(D) A description of efforts among coun-
tries in the Middle East to coordinate intel-
ligence, reconnaissance, and surveillance capa-
bilities and indicators and warnings with re-
spect to the threats described in subparagraph
(A), and a description of any impediment to op-
timizing such efforts.
(E) A description of the current Department of Defense systems that, in coordination with ally and partner countries in the Middle East—

(i) provide awareness of and defend against such threats; and

(ii) address current capability gaps.

(F) An explanation of the manner in which an integrated maritime domain awareness and interdiction architecture would improve collective security in the Middle East.

(G) A description of existing and planned efforts to engage ally and partner countries in the Middle East in establishing such an architecture.

(H) An identification of the elements of such an architecture that may be acquired and operated by ally and partner countries in the Middle East, and a list of such elements for each such ally and partner.

(I) An identification of the elements of such an architecture that may only be provided and operated by members of the United States Armed Forces.
(J) An identification of any challenge to optimizing such an architecture in the Middle East.

(K) An assessment of progress and key challenges in the implementation of the strategy required by paragraph (1) using the metrics identified in accordance with paragraph (3).

(L) Recommendations for improvements in the implementation of such strategy based on such metrics.

(M) An assessment of any capabilities or lessons from the Navy’s Task Force 59 that may be leveraged to support an integrated maritime domain awareness and interdiction capability in the Middle East.

(N) Any other matter the Secretary of Defense considers relevant.

(3) METRICS.—The Secretary of Defense shall identify metrics to assess progress in the implementation of the strategy required by paragraph (1).

(4) FORMAT.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) FEASIBILITY STUDY.—
(1) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility and advisability of establishing an integrated maritime domain awareness and interdiction capability to protect the people, infrastructure, and territory of ally and partner countries in the Middle East from—

(A) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(B) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways of the Middle East.

(2) ELEMENTS.—The study required by paragraph (1) shall include—

(A) an assessment of funds that could be contributed by ally and partner countries of the United States; and

(B) a cost estimate of establishing such an integrated maritime domain awareness and interdiction capability.

(3) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees
of Congress a report on the results of the study conducted under paragraph (1).

(d) Protection of Sensitive Information.—Any activity carried out under this section shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States.

(e) Appropriate Committees of Congress Defined.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1202. AUTHORITY TO PROVIDE MISSION TRAINING THROUGH DISTRIBUTED SIMULATION.

(a) Authority for Training and Distribution.—To enhance the interoperability and integration between the United States Armed Forces and the military forces of friendly foreign countries, the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—
(1) to provide to military personnel of a friendly foreign government persistent advanced networked training and exercise activities (in this section referred to as “mission training through distributed simulation”); and

(2) to provide information technology, including hardware and computer software developed for mission training through distributed simulation activities.

(b) Scope of Mission Training.—Mission training through distributed simulation provided under subsection (a) may include advanced distributed network training events and computer-assisted exercises.

(c) Applicability of Export Control Authorities.—The provision of mission training through distributed simulation and information technology under this section shall be subject to the Arms Export Control Act (22 U.S.C. 2751 et seq.) and any other export control authority under law relating to the transfer of military technology to foreign countries.

(d) Guidance on Use of Authority.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall develop and issue guidance on the procedures for the use of the authority provided in this section.
(c) Report.—

(1) In general.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of mission training through distributed simulation by military personnel of friendly foreign countries.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) A description of ongoing mission training through distributed simulation activities between the United States Armed Forces and the military forces of friendly foreign countries.

(B) A description of the current capabilities of the military forces of friendly foreign countries to support mission training through distributed simulation activities with the United States Armed Forces.

(C) A description of the manner in which the Department intends to use mission training through distributed simulation activities to support implementation of the National Defense Strategy, including in areas of responsibility of the United States European Command and the United States Indo-Pacific Command.
(D) Any recommendation of the Secretary of Defense for legislative proposals or policy guidance regarding the use of mission training through distributed simulation activities.

(3) Appropriate Committees of Congress Defined.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(f) Sunset.—The authority provided in this section shall terminate on December 31, 2025.

SEC. 1203. INCREASE IN SMALL-SCALE CONSTRUCTION LIMIT AND MODIFICATION OF AUTHORITY TO BUILD CAPACITY.

(a) Definition of Small-scale Construction.—

Section 301(8) of title 10, United States Code, is amended by striking “$1,500,000” and inserting “$2,000,000”.

(b) Modification of Authority to Build Capacity.—
(1) **IN GENERAL.**—Subsection (a) of section 333 of title 10, United States Code, is amended—

(A) in paragraph (3), by inserting “or other counter-illicit trafficking operations” before the period at the end; and

(B) by adding at the end the following new paragraph:

“(10) Foreign internal defense operations.”.

(2) **INCREASE IN THRESHOLD FOR SMALL-SCALE CONSTRUCTION PROJECTS REQUIRING ADDITIONAL DOCUMENTATION.**—Subsection (e)(8) of such section is amended by striking “$750,000” and inserting “$1,000,000”.

(3) **EQUIPMENT DISPOSITION.**—Such section is further amended by adding at the end the following new subsection:

“(h) **EQUIPMENT DISPOSITION.**—The Secretary of Defense may treat as stocks of the Department of Defense—

“(1) equipment procured to carry out a program pursuant to subsection (a) that has not yet been transferred to a foreign country and is no longer needed to support such program or any other program carried out pursuant to such subsection; and
'“(2) equipment that has been transferred to a foreign country to carry out a program pursuant to subsection (a) and is returned by the foreign country to the United States.”.

(4) INTERNATIONAL AGREEMENTS.—Such section is further amended by adding at the end the following new subsection:

““(i) INTERNATIONAL AGREEMENTS.—

“(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may—

“(A) allow a foreign country to provide sole-source direction for assistance in support of a program carried out pursuant to subsection (a); and

“(B) enter into an agreement with a foreign country to provide such sole-source direction.

“(2) NOTIFICATION.—Not later than 72 hours after the Secretary of Defense enters into an agreement under paragraph (1), the Secretary shall submit to the congressional defense committees a written notification that includes the following:

“(A) A description of the parameters of the agreement, including types of support,
jectives, and duration of support and cooperation under the agreement.

“(B) A description and justification of any anticipated use of sole-source direction pursuant to such agreement.

“(C) A determination as to whether the anticipated costs to incurred under the agreement are fair and reasonable.

“(D) A certification that the agreement is in the national security interests of the United States.

“(E) Any other matter relating to the agreement, as determined by the Secretary of Defense.”.

(5) FOREIGN INTERNAL DEFENSE DEFINED.—Such section is further amended by adding at the end of the following new subsection:

“(j) FOREIGN INTERNAL DEFENSE DEFINED.—In this section, the term ‘foreign internal defense’ has the meaning given such term in the publication of the Chairman of the Joint Chiefs of Staff entitled ‘Joint Publication 3–22 Foreign Internal Defense’ issued on August 17, 2018 and validated on February 2, 2021.”.
SEC. 1204. EXTENSION OF LEGAL INSTITUTIONAL CAPACITY BUILDING INITIATIVE FOR FOREIGN DEFENSE INSTITUTIONS.

Section 1210(e) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626) is amended by striking “December 31, 2024” and inserting “December 31, 2028”.

SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) Extension.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended by striking “beginning on October 1, 2022, and ending on December 31, 2023” and inserting “beginning on October 1, 2023, and ending on December 31, 2024”.

(b) Modification to Limitation.—Subsection (d)(1) of such section is amended—

(1) by striking “beginning on October 1, 2022, and ending on December 31, 2023” and inserting “beginning on October 1, 2023, and ending on December 31, 2024”; and

(2) by striking “$30,000,000” and inserting “$15,000,000”.

SEC. 1206. EXTENSION OF AUTHORITY FOR DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.

Section 1210A(h) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626) is amended by striking “December 31, 2023” and inserting “December 31, 2025”.

SEC. 1207. EXTENSION OF CROSS SERVICING AGREEMENTS FOR LOAN OF PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT IN COALITION OPERATIONS.


SEC. 1208. LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL SECURITY COOPERATION PROGRAM.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Defense Security Cooperation Agency for the International Security Cooperation Program, not more than 75 percent may be obligated or expended until the Secretary of Defense submits the

SEC. 1209. MODIFICATION OF DEPARTMENT OF DEFENSE SECURITY COOPERATION WORKFORCE DEVELOPMENT.

Section 384 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by striking “The Program” and inserting the following:

“(1) IN GENERAL.—The Program”; and

(B) by adding at the end the following new paragraphs:

“(2) MANAGING ENTITY.—

“(A) DESIGNATION.—The Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall designate an entity within the Department of Defense to serve as the lead entity for managing the implementation of the Program.

“(B) DUTIES.—The entity designated under subparagraph (A) shall carry out the
management and implementation of the Program, consistent with objectives formulated by the Secretary of Defense, which shall include the following:

“(i) Providing for comprehensive tracking of and accounting for all Department of Defense employees engaged in the security cooperation enterprise.

“(ii) Providing training requirements specified at the requisite proficiency levels for each position.

“(C) REPORTING.—The Secretary of Defense shall ensure that, not less frequently than annually, each military department, combatant command, defense agency, and any other entity involved in managing the security cooperation workforce submits to the entity designated under subparagraph (A) a report containing information necessary for the management and career development of the security cooperation workforce, as determined by the Director of the Defense Security Cooperation Agency.

“(3) SECURITY COOPERATION WORKFORCE MANAGEMENT INFORMATION SYSTEM.—The Secretary of Defense, acting through the Director of the
Defense Security Cooperation Agency, shall pre-
scribe regulations to ensure that each military de-
partment, combatant command, and defense agency
provides standardized information and data to the
Secretary on persons serving in positions within the
security cooperation workforce.”;

(2) in subsection (e), by adding at the end the
following new paragraph:

“(4) UPDATED GUIDANCE.—

“(A) IN GENERAL.—Not later than 270
days after the date of the enactment of this
paragraph, and biannually thereafter through
fiscal year 2028, the Secretary of Defense, in
coordination with the Secretary of State, shall
issue updated guidance for the execution and
administration of the Program.

“(B) SCOPE.—The updated guidance re-
quired by subparagraph (A) shall—

“(i) fulfill each requirement set forth
in paragraph (3), as appropriate; and

“(ii) include an identification of the
manner in which the Department of De-
fense shall ensure that personnel assigned
to security cooperation offices within em-
bassies of the United States are trained
and managed to a level of proficiency that
is at least equal to the level of proficiency
provided to the attaché workforce by the
Defense Attaché Service.”;

(3) by redesignating subsections (f) through (h)
as subsections (h) through (j), respectively; and

(4) by inserting after subsection (e) the fol-
lowing new subsections (f) and (g):

“(f) FOREIGN MILITARY SALES CENTER OF EXCEL-
LENCE.—

“(1) ESTABLISHMENT.—The Secretary of De-
defense shall direct an existing schoolhouse within the
Department of Defense to serve as a Foreign Mili-
tary Sales Center of Excellence to improve the train-
ing and education of personnel engaged in foreign
military sales planning and execution.

“(2) OBJECTIVES.—The objectives of the For-
eign Military Sales Center of Excellence shall in-
clude—

“(A) conducting research on and pro-
moting best practices for ensuring that foreign
military sales are timely and effective; and

“(B) enhancing existing curricula for the
purpose of ensuring that the foreign military
sales workforce is fully trained and prepared to execute the foreign military sales program.

“(g) Defense Security Cooperation University.—

“(1) Charter.—The Secretary of Defense shall develop and promulgate a charter for the operation of the Defense Security Cooperation University.

“(2) Mission.—The charter required by paragraph (1) shall set forth the mission, and associated structures and organizations, of the Defense Security Cooperation University, which shall include—

“(A) management and implementation of international military training and education security cooperation programs and authorities executed by the Department of Defense;

“(B) management and provision of institutional capacity-building services executed by the Department of Defense; and

“(C) advancement of the profession of security cooperation through research, data collection, analysis, publication, and learning.

“(3) Cooperative Research and Development Arrangements.—
“(A) In General.—In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to subsection (b)(1) of such section, the Secretary of Defense may enter into such contract or cooperative agreement, or award such grant, through the Defense Security Cooperation University.


“(4) Acceptance of Research Grants.—

“(A) In General.—The Secretary of Defense, through the Under Secretary of Defense for Policy, may authorize the President of the Defense Security Cooperation University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the Defense Security Cooperation
University for a scientific, literary, or educational purpose.

“(B) Qualifying grants.—A qualifying research grant under this paragraph is a grant that is awarded on a competitive basis by an entity described in subparagraph (C) for a research project with a scientific, literary, or educational purpose.

“(C) Entities from which grants may be accepted.—A grant may be accepted under this paragraph only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

“(D) Administration of grant funds.—The Director of the Defense Security Cooperation Agency shall establish an account for administering funds received as research grants under this section. The President of the Defense Security Cooperation University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.
“(E) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Defense Security Cooperation University may be used to pay expenses incurred by the Defense Security Cooperation University in applying for, and otherwise pursuing, the award of qualifying research grants.

“(F) REGULATIONS.—The Secretary of Defense, through the Under Secretary of Defense for Policy, shall prescribe regulations for the administration of this section.”.

SEC. 1210. MODIFICATION OF AUTHORITY TO PROVIDE SUPPORT TO CERTAIN GOVERNMENTS FOR BORDER SECURITY OPERATIONS.

Section 1226(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by adding at the end the following:

“(G) To the Government of Tajikistan for purposes of supporting and enhancing efforts of the armed forces of Tajikistan to increase security and sustain increased security along the border of Tajikistan and Afghanistan.

“(H) To the Government of Uzbekistan for purposes of supporting and enhancing efforts of
the armed forces of Uzbekistan to increase security and sustain increased security along the border of Uzbekistan and Afghanistan.

“(I) To the Government of Turkmenistan for purposes of supporting and enhancing efforts of the armed forces of Turkmenistan to increase security and sustain increased security along the border of Turkmenistan and Afghanistan.”.

SEC. 1211. MODIFICATION OF DEFENSE OPERATIONAL RESILIENCE INTERNATIONAL COOPERATION PILOT PROGRAM.


(1) in subsection (a), by striking “military forces” and inserting “national security forces”;

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “military-to-military relationships” and inserting “relationships with the national security forces of partner countries”; and
(ii) in subparagraph (C), by striking “military forces” and inserting “national security forces”; and

(B) by adding at the end the following new paragraph:

“(4) SUSTAINMENT AND NON-LETHAL ASSISTANCE.—A program under subsection (a) may include the provision of sustainment and non-lethal assistance, including training, defense services, supplies (including consumables), and small-scale construction (as such terms are defined in section 301 of title 10, United States Code).”;

(3) in subsection (e)(3)(A), by striking “military force” and inserting “national security forces”; and

(4) by adding at the end the following new subsection:

“(g) NATIONAL SECURITY FORCES DEFINED.—In this section, the term ‘national security forces’ has the meaning given the term in section 301 of title 10, United States Code.”.

SEC. 1212. ASSISTANCE TO ISRAEL FOR AERIAL REFUELING.

(a) TRAINING ISRAELI PILOTS TO OPERATE KC–46 AIRCRAFT.—
(1) **IN GENERAL.**—The Secretary of the Air Force shall—

(A) make available sufficient resources and accommodations within the United States to train members of the Israeli Air Force on the operation of KC–46 aircraft;

(B) conduct training for members of the Israeli Air Force, including—

(i) training for pilots and crew on the operation of the KC–46 aircraft in accordance with standards considered sufficient to conduct coalition operations of the United States Air Force and the Israeli Air Force; and

(ii) training for ground personnel on the maintenance and sustainment requirements of the KC–46 aircraft considered sufficient for such operations; and

(C) conduct the timing of such training so as to ensure that the first group of trainee members of the Israeli Air Force is anticipated to complete the training not later than 2 weeks after the date on which the first KC–46 aircraft is delivered to Israel.
(2) United States Air Force Military Personnel Exchange Program.—The Secretary of Defense shall, with respect to members of the Israeli Air Force associated with the operation of KC–46 aircraft—

(A) before the completion of the training required by paragraph (1)(B), authorize the participation of such members of the Israeli Air Force in the United States Air Force Military Personnel Exchange Program;

(B) make available billets in the United States Air Force Military Personnel Exchange Program necessary for such members of the Israeli Air Force to participate in such program; and

(C) to the extent practicable, ensure that such members of the Israeli Air Force are able to participate in the United States Air Force Military Personnel Exchange Program immediately after such members complete such training.

(3) Termination.—This subsection shall cease to have effect on the date that is ten years after the date of the enactment of this Act.
(b) Briefing.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes the following:

(1) An assessment of—

(A) the current operational requirements of the Government of Israel for aerial refueling; and

(B) any gaps in current or near-term capabilities.

(2) The estimated date of delivery to Israel of KC–46 aircraft procured by the Government of Israel.

(3) A detailed description of—

(A) any actions the United States Government is taking to expedite the delivery to Israel of KC–46 aircraft procured by the Government of Israel, while minimizing adverse impacts to United States defense readiness, including strategic forces readiness;

(B) any additional actions the United States Government could take to expedite such delivery; and
(C) additional authorities Congress could provide to help expedite such delivery.

(4) A description of the availability of any United States aerial refueling tanker aircraft that is retired or is expected to be retired during the two-year period beginning on the date of the enactment of this Act that could be provided to Israel.

(c) FORWARD DEPLOYMENT OF UNITED STATES KC–46 AIRCRAFT TO ISRAEL.—

(1) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that describes the capacity of and requirements for the United States Air Force to forward deploy KC–46 aircraft to Israel on a rotational basis until the date on which a KC–46 aircraft procured by the Government of Israel is commissioned into the Israeli Air Force and achieves full combat capability.

(2) ROTATIONAL FORCES.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary of Defense shall, consistent with maintaining United States defense readiness, rotationally deploy one or
more KC–46 aircraft to Israel until the earlier of—

(i) the date on which a KC–46 aircraft procured by the military forces of Israel is commissioned into such military forces and achieves full combat capability; or

(ii) five years after the date of the enactment of this Act.

(B) LIMITATION.—The Secretary of Defense may only carry out a rotational deployment under subparagraph (A) if the Government of Israel consents to the deployment.

(C) PRESENCE.—The Secretary of Defense shall consult with the Government of Israel to determine the length of rotational deployments of United States KC–46 aircraft to Israel until the applicable date under subparagraph (A).

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

SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.

(a) EXTENSION.—Subsection (a) of section 1209 of the Carl Levin and Howard P. “Buck” McKeon National

(b) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (l)(3) of such section is amended—

(1) in subparagraph (A), by striking “The President” and all that follows through “if the President” and inserting “The Secretary of Defense may waive the limitations under paragraph (1) for the purposes of providing support under subsection (a)(4) if the Secretary”;

(2) by striking subparagraph (B);

(3) in subparagraph (C), by striking “as required by subparagraph (B)(ii)(I)”;

(4) in subparagraph (D), by striking “December 31, 2023” and inserting “December 31, 2024”; and

(5) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.
SEC. 1222. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

(1) by striking “fiscal year 2023” and inserting “fiscal year 2024”; and

(2) by striking “$25,000,000” and inserting “$18,000,000”.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking “fiscal year 2023” and inserting “fiscal year 2024”.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559) is amended, in the matter preceding paragraph (1)—

(1) by inserting “equipment and training to counter threats from unmanned aerial systems,” before “and sustainment”; and

(2) by striking “December 31, 2023” and inserting “December 31, 2024”.

(b) FUNDING.—Subsection (g) of such section is amended by striking “Overseas Contingency Operations for fiscal year 2023, there are authorized to be appropriated $358,000,000” and inserting “fiscal year 2024, there is authorized to be appropriated $241,950,000”.

(c) FOREIGN CONTRIBUTIONS.—Subsection (h) of such section is amended—

(1) by striking “The Secretary” and inserting
the following:

“(1) IN GENERAL.—The Secretary”; and

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

“(2) USE OF CONTRIBUTIONS.—The limitations on costs under subsections (a) and (m) shall not apply with respect to the expenditure of foreign contributions in excess of such limitations.”.

(d) WAIVER AUTHORITY.—Subsection (o) of such section is amended—

(1) in paragraph (1), by striking “The President” and all that follows through “if the President” and inserting “The Secretary of Defense may waive the limitations on costs under subsection (a) or (m) if the Secretary”;

(2) by striking paragraph (3);
(3) in paragraph (4), by striking “as required by paragraph (3)(B)(i)”; (4) in paragraph (5), by striking “December 31, 2023” and inserting “December 31, 2024”; and (5) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(e) Notification of Provision of Counter Unmanned Aerial Systems Training and Assistance.—Such section is further amended by adding at the end the following new subsection:

“(p) Notification of Provision of Counter Unmanned Aerial Systems Training and Assistance.—

“(1) In general.—Not later than 30 days after providing assistance under this section for countering threats from unmanned aerial systems, the Secretary of Defense shall notify the appropriate congressional committees of such provision of assistance.

“(2) Elements.—The notification required by paragraph (1) shall include the following:

“(A) An identification of the military forces being provided such assistance.

“(B) A description of the type of such assistance, including the types of training and equipment, being provided.”.
SEC. 1224. BRIEFING ON NUCLEAR CAPABILITY OF IRAN.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide the Committees on Armed Services of the Senate and the House of Representatives with—

(1) a briefing on—

   (A) threats to global security posed by the nuclear weapon capability of Iran; and
   (B) progress made by Iran in enriching uranium at levels proximate to or exceeding weapons grade; and

(2) recommendations for actions the United States may take to ensure that Iran does not acquire a nuclear weapon capability.

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 1231. EXTENSION AND MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) FUNDING.—Subsection (f) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in the matter preceding paragraph (1), by striking “for overseas contingency operations”; and

(2) by adding at the end the following new paragraph:
“(9) For fiscal year 2024, $300,000,000.”.

(b) TERMINATION OF AUTHORITY.—Subsection (h) of such section is amended by striking “December 31, 2024” and inserting “December 31, 2027”.

SEC. 1232. EXTENSION AND MODIFICATION OF TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended—

(1) in subsection (c)(1), by adding at the end the following new subparagraph:

“(C) The Republic of Kosovo.”;

(2) in subsection (h)—

(A) in the first sentence, by striking “December 31, 2024” and inserting “December 31, 2026”;

(B) in the second sentence, by striking “December 31, 2024.” and inserting “December 31, 2026”.
SEC. 1233. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER INTERNATIONALLY RECOGNIZED TERRITORY OF UKRAINE.

Section 1245(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236) is amended by striking “None of the funds” and all that follows through “2023” and inserting “None of the funds authorized to be appropriated for fiscal year 2023 or 2024”.

SEC. 1234. EXTENSION AND MODIFICATION OF TEMPORARY AUTHORIZATIONS RELATED TO UKRAINE AND OTHER MATTERS.

Section 1244 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (a)(7), by striking “September 30, 2024” and inserting “September 30, 2025”; and

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by inserting “or fiscal year 2024” after “fiscal year 2023”;

(B) in subparagraph (P), by striking “; and” and inserting a semicolon;
(C) in subparagraph (Q), by striking the period at the end and inserting ‘‘; and’’; and

(D) by inserting at the end the following new subparagraphs:

‘‘(R) 3,300 Tomahawk Cruise Missiles;

‘‘(S) 1,100 Precision Strike Missiles (PrSM);

‘‘(T) 550 Mark 48 Torpedoes;

‘‘(U) 1,650 RIM-162 Evolved Sea Sparrow Missiles (ESSM);

‘‘(V) 1,980 RIM-116 Rolling Airframe Missiles (RAM); and

‘‘(W) 11,550 Small Diameter Bomb IIs (SDB-II).’’.

SEC. 1235. PRIORITIZATION FOR BASING, TRAINING, AND EXERCISES IN NORTH ATLANTIC TREATY ORGANIZATION MEMBER COUNTRIES.

(a) In General.—Subject to subsection (b), when considering decisions related to United States military basing, training, and exercises, the Secretary of Defense shall prioritize those North Atlantic Treaty Organization member countries that have achieved defense spending of not less than 2 percent of their gross domestic product by 2024.
(b) WAIVER.—The Secretary of Defense may waive subsection (a) if the Secretary submits a certification to the congressional defense committees that a waiver is in the national security interests of the United States.

SEC. 1236. STUDY AND REPORT ON LESSONS LEARNED REGARDING INFORMATION OPERATIONS AND DETERRENCE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into a contract or other agreement with an eligible entity to conduct an independent study on lessons learned from information operations conducted by the United States, Ukraine, the Russian Federation, and member countries of the North Atlantic Treaty Organization during the lead-up to the Russian Federation’s full-scale invasion of Ukraine in 2022 and throughout the conflict.

(2) ELEMENT.—The study required by paragraph (1) shall include recommendations for improvements to United States information operations to enhance effectiveness, as well as recommendations on how information operations may be improved to support the maintenance of deterrence.

(b) REPORT.—
(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study in its entirety, along with any such comments as the Secretary considers relevant.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) ELIGIBLE ENTITY DEFINED.—In this section, the term “eligible entity”—

(1) means an entity independent of the Department of Defense that is not under the direction or control of the Secretary of Defense; and

(2) an independent, nongovernmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.
SEC. 1237. REPORT ON PROGRESS ON MULTI-YEAR STRATEGY AND PLAN FOR BALTIC SECURITY OPERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on the progress made in the implementation of the multi-year strategy and spending plan set forth in the June 2021 report of the Department of Defense entitled “Report to Congress on the Baltic Security Initiative”.

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

(1) An identification of any significant change to the goals, objectives, and milestones identified in the June 2021 report described in subsection (a).

(2) An update on the Department of Defense funding allocated for such strategy and spending plan for fiscal years 2022 and 2023 and projected funding requirements for fiscal years 2024, 2025, and 2026 for each goal identified in such report.

(3) An update on the host country funding allocated and planned for each such goal.

(4) An assessment of the progress made in the implementation of the recommendations set forth in the fiscal year 2020 Baltic Defense Assessment, and
reaffirmed in the June 2021 report described in sub-
section (a), that each Baltic country should—

(A) increase its defense budget;
(B) focus on and budget for sustainment
of capabilities in defense planning; and
(C) consider combined units for expensive
capabilities such as air defense, rocket artillery,
and engineer assets.

SEC. 1238. SENSE OF THE SENATE ON THE NORTH ATLAN-
TIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) the success of the North Atlantic Treaty
Organization is critical to advancing United States
national security objectives in Europe, the Indo-Pa-
cific region, and around the world;
(2) the North Atlantic Treaty Organization re-
mains the strongest and most successful military al-
liance in the world, founded on a commitment by its
members to uphold the principles of democracy, indi-
vidual liberty, and the rule of law;
(3) the United States reaffirms its ironclad
commitment—
(A) to the North Atlantic Treaty Organiza-
tion as the foundation of transatlantic security;
(B) to upholding its obligations under the North Atlantic Treaty, including Article 5;

(4) the unprovoked and illegal invasion of Ukraine by the Russian Federation has upended security in Europe and requires the full attention of the transatlantic alliance;

(5) welcoming Finland as the 31st member of the North Atlantic Treaty Organization has made the North Atlantic Treaty Organization Alliance stronger and the remaining North Atlantic Treaty Organization member countries should swiftly ratify the accession protocols of Sweden so as to bolster the collective security of the North Atlantic Treaty Organization by increasing the security and stability of the Baltic Sea region and Northern Europe;

(6) the North Atlantic Treaty Organization member countries that have not yet met the two-percent defense spending pledge, as agreed to at the 2014 Wales Summit, should endeavor to meet the timeline as expeditiously as possible, but certainly within the five-year period beginning on the date of the enactment of this Act;

(7) the United States and North Atlantic Treaty Organization allies and partners should continue efforts to identify, synchronize, and deliver needed
assistance to Ukraine as Ukraine continues the fight against the illegal and unjust war of the Russian Federation;

(8) the Strategic Concept, agreed to by all North Atlantic Treaty Organization member countries at the Madrid Summit in 2022, outlined the focus of the North Atlantic Treaty Organization for the upcoming decade, and North Atlantic Treaty Organization allies should continue to implement the strategies outlined, including by making efforts to address the challenges posed by the coercive policies of the People’s Republic of China that undermine the interests, security, and shared values of the North Atlantic Treaty Organization Alliance;

(9) the United States and North Atlantic Treaty Organization allies should continue long-term efforts—

(A) to improve interoperability among the military forces of member countries of the North Atlantic Treaty Organization so as to enhance collective operations, including the divestment of Soviet-era capabilities;

(B) to enhance security sector cooperation and explore opportunities to reinforce civil sector preparedness and resilience measures that
may be likely targets of malign influence campaigns;

(C) to mitigate the impact of hybrid warfare operations, particularly those in the information and cyber domains; and

(D) to expand joint research and development initiatives with a focus on emerging technologies such as quantum computing, artificial intelligence, and machine learning, including through the work of the Defence Innovation Accelerator for the North Atlantic initiative (commonly known as “DIANA”);

(10) the European Deterrence Initiative remains critically important and has demonstrated its unique value to the United States and North Atlantic Treaty Organization allies during the current Russian Federation-created war against Ukraine;

(11) the United States should continue to work with North Atlantic Treaty Organization allies, and other allies and partners, to build permanent mechanisms to strengthen supply chains, enhance supply chain security, and fill supply chain gaps;

(12) the United States should prioritize collaboration with North Atlantic Treaty Organization al-
lies to secure enduring and robust critical munitions
supply chains so as to increase military readiness;

(13) the United States and the North Atlantic
Treaty Organization should expand cooperation ef-
forts on cybersecurity issues to prevent adversaries
and criminals from compromising critical systems
and infrastructure; and

(14) it is in the interest of the United States
that the North Atlantic Treaty Organization adopt
a robust strategy toward the Black Sea, and the
United States should also consider working with in-
terested partner countries to advance a coordinated
strategy inclusive of diverse elements of transatlantic
security architecture in the Black Sea region.

SEC. 1239. SENSE OF THE SENATE ON DEFENCE INNOVA-
TION ACCELERATOR FOR THE NORTH ATLAN-
TIC (DIANA) IN THE NORTH ATLANTIC TREA-
TY ORGANIZATION.

It is the sense of the Senate that—

(1) the new initiative within the North Atlantic
Treaty Organization (NATO) to establish a new re-
search and development initiative, known as the
Defence Innovation Accelerator for the North Atlantic (DIANA), is an important step in aligning the
industry and academic innovation communities of
the NATO member states towards common goals for identifying, experimenting, and transitioning critical technologies of importance to NATO;

(2) DIANA will spur increased defense research and development funding to rapidly adapt to a new era of strategic competition by bringing defense personnel together with NATO’s leading entrepreneurs and academic researchers;

(3) DIANA will also increase opportunities for engagement on NATO’s priority technology areas, including artificial intelligence, data, autonomy, quantum-enabled technologies, biotechnology, hypersonic technologies, space, novel materials and manufacturing, and energy and propulsion; and

(4) through DIANA, NATO allies will foster innovative ecosystems and develop talent for dual use technologies to maintain NATO’s strategic advantage.

SEC. 1240. SENSE OF THE SENATE REGARDING THE ARMING OF UKRAINE.

It is the sense of the Senate that Ukraine would derive military benefit from the provision of munitions such as the dual-purpose improved conventional munition (DPICM). Such weapons could be fired from systems in the existing Ukrainian inventory and would enhance
Ukraine’s stockpile of available munitions and would bolster Ukraine’s efforts to end Russia’s illegal and unjust war. The Department of Defense, in concert with the other members of the Ukraine Defense Contract Group, should continue to support Ukraine’s brave fight to defeat the invasion of the Russian Federation. The Department of Defense, in close coordination with the State Department, should assess the feasibility and advisability of providing such munitions, including giving appropriate attention to humanitarian considerations, including supporting Ukraine’s effort to end the widespread suffering of the Ukrainian people by bringing Russia’s war of choice to an end as soon as possible on terms favorable to Ukraine, as well as the views of other members of the Ukraine Defense Contract Group.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 1241. INDO-PACIFIC CAMPAIGNING INITIATIVE.

(a) IN GENERAL.—The Secretary of Defense shall establish, and the Commander of the United States Indo-Pacific Command shall carry out, an Indo-Pacific Campaigning Initiative (in this section referred to as the “Initiative”) for purposes of—
(1) strengthening United States alliances and partnerships with foreign military partners in the Indo-Pacific region;

(2) deterring military aggression by potential adversaries against the United States and allies and partners of the United States;

(3) dissuading strategic competitors from seeking to achieve their objectives through the conduct of military activities below the threshold of traditional armed conflict;

(4) improving the understanding of the United States Armed Forces with respect to the operating environment in the Indo-Pacific region;

(5) shaping the perception of potential adversaries with respect to United States military capabilities and the military capabilities of allies and partners of the United States in the Indo-Pacific region; and

(6) improving the ability of the United States Armed Forces to coordinate and operate with foreign military partners in the Indo-Pacific region.

(b) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than March 1, 2024, the Secretary shall provide the congressional defense committees with a briefing that describes ongoing
and planned campaigning activities in the Indo-Pacific region for fiscal year 2024.

(2) REPORT.—Not later than December 1, 2024, the Secretary shall submit to the congressional defense committees a report that—

(A) summarizes the campaigning activities conducted in the Indo-Pacific region during fiscal year 2024; and

(B) includes—

(i) a value assessment of each such activity;

(ii) lessons learned in carrying out such activities;

(iii) any identified resource or authority gap that has negatively impacted the implementation of the Initiative; and

(iv) proposed plans for additional campaigning activities in the Indo-Pacific region to fulfill the purposes described in subsection (a).

(c) CAMPAIGNING DEFINED.—In this section, the term “campaigning”—

(1) means the conduct and sequencing of logically linked military activities to achieve strategy-aligned objectives, including modifying the security
environment over time to the benefit of the United States and the allies and partners of the United States while limiting, frustrating, and disrupting competitor activities; and

(2) includes deliberately planned military activities in the Indo-Pacific region involving bilateral and multilateral engagements with foreign partners, training, exercises, demonstrations, experiments, and other activities to achieve the objectives described in subsection (a).

SEC. 1242. TRAINING, ADVISING, AND INSTITUTIONAL CAPACITY-BUILDING PROGRAM FOR MILITARY FORCES OF TAIWAN.

(a) Establishment.—Consistent with the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the Taiwan Enhanced Resilience Act (subtitle A of title LV of Public Law 117–263), the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with appropriate officials of Taiwan, shall establish a comprehensive training, advising, and institutional capacity-building program for the military forces of Taiwan using the authorities provided in chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.
(b) PURPOSES.—The purposes of the program established under subsection (a) shall be—

(1) to enable a layered defense of Taiwan by the military forces of Taiwan, including in support of the use of an asymmetric defense strategy;

(2) to enhance interoperability between the United States Armed Forces and the military forces of Taiwan;

(3) to encourage information sharing between the United States Armed Forces and the military forces of Taiwan;

(4) to promote joint force employment; and

(5) to improve professional military education and the civilian control of the military.

(c) ELEMENTS.—The program established under subsection (a) shall include efforts to improve—

(1) the tactical proficiency of the military forces of Taiwan;

(2) the operational employment of the military forces of Taiwan to conduct a layered defense of Taiwan, including in support of an asymmetric defense strategy;

(3) the employment of joint military capabilities by the military forces of Taiwan, including through joint military training, exercises, and planning;
(4) the reform and integration of the reserve
military forces of Taiwan;

(5) the use of defense articles and services
transferred from the United States to Taiwan;

(6) the integration of the military forces of Tai-
wan with relevant civilian agencies, including the
All-Out Defense Mobilization Agency;

(7) the ability of Taiwan to participate in bilat-
eral and multilateral military exercises, as appro-
priate;

(8) the defensive cyber capabilities and prac-
tices of the Ministry of National Defense of Taiwan;
and

(9) any other matter the Secretary of Defense
considers relevant.

(d) DECONFLICTION, COORDINATION, AND CONCUR-
RENCE.—The Secretary of Defense shall deconflict, co-
ordinate, and seek the concurrence of the Secretary of
State and the heads of other relevant departments and
agencies with respect to activities carried out under the
program required by subsection (a), in accordance with
the requirements of the authorities provided in chapter 16
of title 10, United States Code, and other applicable statu-
tory authorities available to the Secretary of Defense.
(c) REPORTING.—As part of each annual report on Taiwan defensive military capabilities and intelligence support required by section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988), the Secretary of Defense shall provide—

(1) an update on efforts made to address each element under subsection (c); and

(2) an identification of any authority or resource shortfall that inhibits such efforts.

SEC. 1243. INDO-PACIFIC MARITIME DOMAIN AWARENESS INITIATIVE.

(a) Establishment.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall seek to establish an initiative with allies and partners of the United States, including Australia, Japan, and India, to be known as the “Indo-Pacific Maritime Domain Awareness Initiative” (in this section referred to as the “Initiative”), to bolster maritime domain awareness in the Indo-Pacific region.

(b) Use of Authorities.—In carrying out the Initiative, the Secretary of Defense may use the authorities provided in chapter 16 of title 10, United States Code,
and other applicable statutory authorities available to the Secretary of Defense.

(c) PURPOSES.—The purposes of the Initiative are as follows:

(1) To enhance the ability of allies and partners of the United States in the Indo-Pacific region to fully monitor the maritime domain of such region.

(2) To leverage emerging technologies to support maritime domain awareness objectives.

(3) To provide a comprehensive understanding of the maritime domain in the Indo-Pacific region, including by facilitating information sharing among such allies and partners.

(d) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report that outlines ongoing and planned activities of the Initiative, and the resources needed to carry out the such activities, for fiscal year 2025.

SEC. 1244. EXTENSION OF PACIFIC DETERRENCE INITIATIVE.

(a) EXTENSION.—Subsection (c) of section 1251 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) is amended—
(1) by striking “the National Defense Authorization Act for Fiscal Year 2023” and inserting “the National Defense Authorization Act for Fiscal Year 2024”; and

(2) by striking “fiscal year 2023” and inserting “fiscal year 2024”.

(b) Report on Resourcing United States Defense Requirements for the Indo-Pacific Region and Study on Competitive Strategies.—Subsection (d)(1)(A) of such section is amended by striking “fiscal years 2023 and 2024” and inserting “fiscal years 2024 and 2025”.

SEC. 1245. EXTENSION OF AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

Section 1253(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3955) is amended by striking “fiscal year 2023” and inserting “fiscal year 2024”.

SEC. 1246. EXTENSION AND MODIFICATION OF PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH FOREIGN MILITARY PARTNERS IN SOUTHEAST ASIA.

(a) In General.—Subsection (a) of section 1256 of the William M. (Mac) Thornberry National Defense Au-

(1) in the matter preceding paragraph (1), by striking “in Vietnam, Thailand, and Indonesia” and inserting “with covered foreign military partners”; 

(2) in paragraph (1), by striking “Vietnam, Thailand, and Indonesia” and inserting “covered foreign military partners”; and 

(3) in paragraph (2), by striking “Vietnam, Thailand, and Indonesia on” and inserting “covered foreign military partners on defensive”.

(b) Elements.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “Vietnam, Thailand, and Indonesia” and inserting “covered foreign military partners”; and 

(2) in paragraph (2), by striking “Vietnam, Thailand, and Indonesia” and inserting “covered foreign military partners”.

certification. — Subsection (d) of such section is amended—

(e) Reports.—Subsection (c)(2)(B) of such title is amended by striking “Vietnam, Thailand, and Indonesia” and inserting “covered foreign military partners”.

(d) Certification.—Subsection (d) of such section is amended—
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(1) by inserting “with any covered foreign military partner” after “scheduled to commence”; and
(2) by striking “Vietnam, Indonesia, or Thailand” and inserting “the covered foreign military partner”.

(c) EXTENSION.—Subsection (e) of such section is amended by striking “December 31, 2024” and inserting “December 31, 2029”.

(f) DEFINITIONS.—Subsection (f) of such section is amended to read as follows:

“(f) DEFINITIONS.—In this section:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

“(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

“(2) COVERED FOREIGN MILITARY PARTNER.—The term ‘covered foreign military partner’ means the following:

“(A) Vietnam.

“(B) Thailand.
“(C) Indonesia.

“(D) The Philippines.

“(E) Malaysia.”

(g) CONFORMING AMENDMENTS.—


(2) The table of contents for the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3388) is amended by striking the item relating to section 1256 and inserting the following:

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign military partners in Southeast Asia.”.

(3) The table of contents for title XII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3905) is amended by striking the item relating to section 1256 and inserting the following:

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign military partners in Southeast Asia.”.
SEC. 1247. EXTENSION AND MODIFICATION OF CERTAIN TEMPORARY AUTHORIZATIONS.

(a) In General.—Section 1244 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236; 136 Stat. 2844) is amended—

(1) in the section heading, by striking “OTHER MATTERS” and inserting “TAIWAN”; and

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting “or the Government of Taiwan” after “the Government of Ukraine”; and

(ii) in subparagraph (C), by inserting “or the Government of Taiwan” after “the Government of Ukraine”;

(B) in paragraph (5)—

(i) by striking subparagraph (A) and inserting the following:

“(A) the replacement of defense articles from stocks of the Department of Defense provided to—

“(i) the Government of Ukraine;

“(ii) foreign countries that have provided support to Ukraine at the request of the United States;
“(iii) the Government of Taiwan; or

“(iv) foreign countries that have pro-
vided support to Taiwan at the request of
the United States; or”; and

(ii) in subparagraph (B), by inserting
“or the Government of Taiwan” before the
period at the end;

(C) in paragraph (7), by striking “Sep-
ember 30, 2024” and inserting “September 30,
2028”;

(D) by redesignating paragraph (7) as
paragraph (8); and

(E) by inserting after paragraph (6) the
following new paragraph (7):

“(7) NOTIFICATION.—Not later than 7 days
after the exercise of authority under subsection (a)
the Secretary of Defense shall notify the congres-
sional defense committees of the specific authority
exercises, the relevant contract, and the estimated
reductions in schedule.”.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents at the beginning of
the James M. Inhofe National Defense Authoriza-
tion Act for Fiscal Year 2023 (Public Law 117–236;
136 Stat. 2395) is amended by striking the item relating to section 1244 and inserting the following:

“Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.”.

(2) The table of contents at the beginning of title XII of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236; 136 Stat. 2820) is amended by striking the item relating to section 1244 and inserting the following:

“Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.”.

SEC. 1248. PLAN FOR ENHANCED SECURITY COOPERATION WITH JAPAN.

(a) In general.—Not later than June 1, 2024, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a plan for enhancing United States security cooperation with Japan.

(b) Elements.—The plan required by subsection (a) shall include the following:

(1) A plan for—

(A) increased bilateral training, exercises, combined patrols, and other activities between the United States Armed Forces and the Self-Defense Forces of Japan;

(B) increasing multilateral military-to-military engagements involving the United States
Armed Forces, the Self-Defense Forces of Japan, and the military forces of other regional allies and partners, including Australia, India, the Republic of Korea, and the Philippines, as appropriate;

(C) increased sharing of intelligence and other information, including the adoption of enhanced security protocols;

(D) current mechanisms, processes, and plans to coordinate and engage with the Joint Headquarters of the Self-Defense Forces of Japan; and

(E) enhancing cooperation on advanced technology initiatives, including artificial intelligence, cyber, space, undersea, hypersonic, and related technologies.

(2) An analysis of the feasibility and advisability of—

(A) increasing combined planning efforts between the United States and Japan to address potential regional contingencies;

(B) modifying United States command structures in Japan—

(i) to coordinate all United States military activities and operations in Japan;
(ii) to complement similar changes by the Self-Defense Forces of Japan; and

(iii) to facilitate integrated planning and implementation of combined activities;

and

(C) additional modifications to the force posture of the United States Armed Forces in Japan, including the establishment of additional main operating locations, cooperative security locations, contingency locations, and other forward operating sites.

(3) An identification of challenges to the implementation of the plan required by subsection (a) and any recommended legislative changes, resourcing requirements, bilateral agreements, or other measures that would facilitate the implementation of such plan.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and
(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Represent-atives.

SEC. 1249. PLAN FOR IMPROVEMENTS TO CERTAIN OPERATING LOCATIONS IN INDO-PACIFIC REGION.

(a) IDENTIFICATION OF OPERATING LOCATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a classified survey to identify each United States operating location within the area of responsibility of the United States Indo-Pacific Command, including in the First, Second, and Third Island Chains, that—

(A) may be used to respond militarily to aggression by the People’s Republic of China; and

(B) is considered to not be sufficiently capable of mitigating damage to aircraft of the United States Armed Forces in the event of a missile, aerial drone, or other form of attack by the People’s Republic of China.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the survey under para-graph (1).
(b) PLAN.—Not later than 60 days after the date on which the report required by paragraph (2) of subsection (a) is submitted, the Secretary shall submit to the congressional defense committees a plan—

(1) to implement improvements, as appropriate, to operating locations identified under that subsection so as to increase the survivability of aircraft of the United States Armed Forces in the event of a missile, aerial drone, or other form of attack by the People's Republic of China; and

(2) that includes an articulation of other means for increasing survivability of such aircraft in the event of such an attack, including dispersal and deception.

(c) FORM.—The report and plan required by this section shall be submitted in classified form.

SEC. 1250. STRATEGY FOR IMPROVING POSTURE OF GROUND-BASED THEATER-RANGE MISSILES IN INDO-PACIFIC REGION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a strategy for improving the posture of ground-based theater-range missile capabilities in the Indo-Pacific region.
(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

1. An assessment of gaps in conventional ground-based theater-range precision strike capabilities in the area of responsibility of the United States Indo-Pacific Command.

2. An identification of military requirements for conventional ground-based theater-range missile systems, including range, propulsion, payload, launch platform, weapon effects, and other operationally relevant factors in the Indo-Pacific region.

3. An identification of prospective basing locations in the area of responsibility of the United States Indo-Pacific Command, including an articulation of the bilateral agreements necessary to support such deployments.

4. A description of operational concepts for employment, including integration with short-range and multi-domain fires, in denial operations in the Western Pacific.

5. An identification of prospective foreign partners and institutional mechanisms for co-development and co-production of new theater-range conventional missiles.
(6) An assessment of the cost and schedule of developmental ground-based theater-range missiles programs, including any potential cost-sharing arrangements with foreign partners through existing institutional mechanisms.

(7) The designation of a theater component commander or joint task force commander within the United States Indo-Pacific Command responsible for developing a theater missile strategy.

(8) Any other matter the Secretary considers relevant.

(c) FORM.—The strategy required by subsection (a) may be submitted in classified form but shall include an unclassified summary.

(d) GROUND-BASED THEATER-RANGE MISSILE DEFINED.—In this section, the term “ground-based theater-range missile” means a conventional mobile ground-launched ballistic or cruise missile system with a range between 500 and 5,500 kilometers.

SEC. 1251. ENHANCING MAJOR DEFENSE PARTNERSHIP WITH INDIA.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State and the head of any other relevant Federal department or agency, shall seek to ensure that India is appropriately considered for
security cooperation benefits consistent with the status of India as a major defense partner of the United States, including with respect to the following lines of effort:

(1) Eligibility for funding to initiate or facilitate cooperative research, development, testing, or evaluation projects with the Department of Defense, with priority given to projects in the areas of—

(A) artificial intelligence;

(B) undersea domain awareness;

(C) air combat and support;

(D) munitions; and

(E) mobility.

(2) Eligibility to enter into reciprocal agreements with the Department of Defense for the cooperative provision of training on a bilateral or multilateral basis in support of programs for the purpose of building capacity in the areas of—

(A) counterterrorism operations;

(B) counter-weapons of mass destruction operations;

(C) counter-illicit drug trafficking operations;

(D) counter-transnational organized crime operations;
(E) maritime and border security operations;
(F) military intelligence operations;
(G) air domain awareness operations; and
(H) cyberspace security and defensive cyberspace operations.

(3) Eligibility to enter into a memorandum of understanding or other formal agreement with the Department of Defense for the purpose of conducting cooperative research and development projects on defense equipment and munitions.

(4) Eligibility for companies from India to bid on contracts for the maintenance, repair, or overhaul of Department of Defense equipment located outside the United States.

(b) BRIEFING.—Not later than March 1, 2024, the Secretary of Defense, in coordination with the Secretary of State and the head of any other relevant Federal department or agency, shall provide the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives with a briefing on the status of security cooperation activities with India, including the lines of effort specified in subsection (a).
SEC. 1252. MILITARY CYBERSECURITY COOPERATION WITH TAIWAN.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Policy, with the concurrence of the Secretary of State and in coordination with the Commander of the United States Cyber Command and the Commander of the United States Indo-Pacific Command, shall seek to engage with appropriate officials of Taiwan for the purpose of expanding cooperation on military cybersecurity activities using the authorities under chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(b) COOPERATION EFFORTS.—In expanding the cooperation of military cybersecurity activities between the Department of Defense and the military forces of Taiwan under subsection (a), the Secretary of Defense may carry out efforts—

(1) to actively defend military networks, infrastructure, and systems;

(2) to eradicate malicious cyber activity that has compromised such networks, infrastructure, and systems;

(3) to leverage United States commercial and military cybersecurity technology and services to
harden and defend such networks, infrastructure, and systems; and
(4) to conduct combined cybersecurity training activities and exercises.

(c) Briefings.—
(1) Requirement.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate committees of Congress a briefing on the implementation of this section.

(2) Contents.—The briefing under paragraph (1) shall include the following:
(A) A description of the feasibility and advisability of expanding the cooperation on military cybersecurity activities between the Department of Defense and the military forces of Taiwan.
(B) An identification of any challenges and resources that need to be addressed so as to expand such cooperation.
(C) An overview of efforts undertaken pursuant to this section.
(D) Any other matter the Secretary considers relevant.
(d) Appropriate Committees of Congress Defined.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1253. DESIGNATION OF SENIOR OFFICIAL FOR DEPARTMENT OF DEFENSE ACTIVITIES RELATING TO, AND IMPLEMENTATION PLAN FOR, SECURITY PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.

(a) Designation of Senior Official.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior civilian official of the Department of Defense who shall be responsible for overseeing Department of Defense activities relating to the security partnership among Australia, the United Kingdom, and the United States (commonly known as the “AUKUS partnership”).

(b) Plan.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary
of Defense, in coordination with the Administrator
for Nuclear Security and the Secretary of State,
shall submit to the appropriate committees of Con-
gress an implementation plan outlining Department
efforts relating to the AUKUS partnership.

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

(A) Timelines and major anticipated mile-
stones for the implementation of the AUKUS
partnership.

(B) An identification of dependencies of
such milestones on defense requirements that
are—

(i) unrelated to the AUKUS partner-
ship; and

(ii) solely within the decisionmaking
responsibility of Australia or the United
Kingdom.

(C) Recommendations for adjustments to
statutory and regulatory export authorities or
frameworks, including technology transfer and
protection, necessary to efficiently implement
the AUKUS partnership.
(D) A consideration of the implications of the plan on the industrial base with respect to—

(i) the expansion of existing United States submarine construction capacity to fulfill United States, United Kingdom, and Australia requirements;

(ii) acceleration of the restoration of United States capabilities for producing highly enriched uranium to fuel submarine reactors;

(iii) stabilization of commodity markets and expanding supplies of high-grade steel, construction materials, and other resources required for improving shipyard condition and expanding throughput capacity; and

(iv) coordination and synchronization of industrial sourcing opportunities among Australia, the United Kingdom, and the United States.

(E) A description of resourcing and personnel requirements, including the hiring of additional foreign disclosure officers.
(F) A plan for improving information sharing, including—

(i) recommendations for modifications to foreign disclosure policies and processes;

(ii) the promulgation of written information-sharing guidelines or policies to improve information sharing under the AUKUS partnership;

(iii) the establishment of an information handling caveat specific to the AUKUS partnership; and

(iv) the reduction in use of the Not Releasable to Foreign Nations (NOFORN) information handling caveat.

(G) Processes for the protection of privately held intellectual property, including patents.

(H) A plan to leverage, for the AUKUS partnership, any relevant existing cybersecurity or technology partnership or cooperation activity between the United States and the United Kingdom or between the United States and Australia.

(I) Recommended updates to other statutory, regulatory, policy, or process frameworks.
(J) Any other matter the Secretary of Defense considers appropriate.

(c) Semiannual Updates.—Not later than 60 days after the date on which the plan required by subsection (b) is submitted, and semiannually thereafter on April 1 and October 1 each year through 2029, the senior civilian official designated under subsection (a) shall provide the congressional defense committees with a briefing on the status of all Department activities to implement the AUKUS partnership.

(d) Appropriate Committees of Congress Defined.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committees on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1254. REPORT AND NOTIFICATION RELATING TO TRANSFER OF OPERATIONAL CONTROL ON KOREAN PENINSULA.

(a) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense,
in coordination with the Secretary of State, shall submit
to the appropriate committees of Congress a report that—

(1) describes the conditions under which the
military forces of the Republic of Korea would be
prepared to assume wartime operational control of
the United States and Republic of Korea Combined
Forces Command; and

(2) includes an assessment of the extent to
which the military forces of the Republic of Korea
meet such conditions as of the date on which the re-
port is submitted.

(b) NOTIFICATION.—

(1) IN GENERAL.—Not later than 30 days be-
fore the date on which wartime operational control
of the United States and Republic of Korea Com-
bined Forces Command is transferred to the Repub-
lic of Korea, the Secretary of Defense, in coordina-
tion with the Secretary of State, shall notify the ap-
propriate committees of Congress of such transfer.

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

(A) An assessment of the extent to which
the military forces of the Republic of Korea
meet the conditions described in the report sub-
mitted under subsection (a), including with re-
spect to the acquisition by the Republic of Korea of necessary military capabilities to counter the capabilities of the Democratic People’s Republic of Korea.

(B) A description of the command relationship among the United Nations Command, the United States and Republic of Korea Combined Forces Command, the United States Forces Korea, and the military forces of the Republic of Korea.

(C) An assessment of the extent to which such transfer impacts the security of the United States, the Republic of Korea, and other regional allies and partners.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.
SEC. 1255. REPORT ON RANGE OF CONSEQUENCES OF WAR WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than December 1, 2024, the Director of the Office of Net Assessment shall submit to the congressional defense committees a report on the range of geopolitical and economic consequences of a United States-People's Republic of China conflict in 2030.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) account for potential—

(A) attacks within the homelands of the United States and the People's Republic of China, including cyber threats and the potential disruption of critical infrastructure;

(B) impacts on the United States Armed Forces and the military forces of United States allies and partners, including loss of life, capabilities, United States force posture, and United States alliances in the Indo-Pacific region;

(C) impacts on the military forces of the People's Republic of China, including loss of life and capabilities;

(D) impacts on the civilian populations of Japan, Taiwan, Australia, and other countries in the Indo-Pacific region;

(E) disruption of the global economy; and
(F) any other matter the Director of the Office of Net Assessment considers relevant; and

(2) include a review of previous attempts in history to forecast the consequences and costs of war.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) BRIEFING.—Not less than 14 days before the date on which the report required by subsection (a) is submitted, the Director of the Office of Net Assessment shall provide a briefing to the congressional defense committees on the conclusions of the report.

SEC. 1256. STUDY AND REPORT ON COMMAND STRUCTURE AND FORCE POSTURE OF UNITED STATES ARMED FORCES IN INDO-PACIFIC REGION.

(a) Study.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct an independent study for the purpose of improving the current command structure and force posture of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command.
(2) REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center selected to conduct the study required by paragraph (1) shall submit to the Secretary a report on the findings of the study.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) An assessment of—

(I) the current command structure of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command;

(II) the current force posture, basing, access, and overflight agreements of the United States Armed Forces in such area of responsibility; and

(III) any operational or command and control challenge resulting from the geography, current force posture of the United States Armed Forces, or current command structure of the
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United States Armed Forces in the
area of responsibility of the United
States Indo-Pacific Command.
(ii) Any recommendation for—

(I) adjustments to the force pos-
ture of the United States Armed
Forces in such area of responsibility,
including an identification of any ad-
ditional basing, access, and overflight
agreement that may be necessary in
response to the changing security en-
vironment in such area of responsi-
bility;

(II) modifying the current orga-
nizational and command structure of
the United States Indo-Pacific Com-
mand, including United States Forces
Japan and United States Forces
Korea, in response to such changing
security environment; or

(III) improving the ability to bet-
ter coordinate with allies and partners
during peacetime and conflict.

(b) REPORT TO CONGRESS.—
(1) IN GENERAL.—Not later than February 1, 2025, the Secretary shall submit to the congressional defense committees an unaltered copy of the report submitted to the Secretary under subsection (a)(2), together with the views of the Secretary on the findings set forth in such report and any corresponding recommendation.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(3) PUBLIC AVAILABILITY.—The Secretary shall make available to the public the unclassified form of the report required by paragraph (1).

SEC. 1257. STUDIES ON DEFENSE BUDGET TRANSPARENCY OF THE PEOPLE’S REPUBLIC OF CHINA AND THE UNITED STATES.

(a) STUDIES REQUIRED.—

(1) DEFENSE INTELLIGENCE AGENCY STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Defense Intelligence Agency, shall—

(A) complete a study on the defense budget of the People’s Republic of China;
(B) submit to the Committees on Armed Services of the Senate and the House of Representa
tives a report on the results of the study; and

(C) make the results of the study available to the public on the internet website of the Depart-
ment of Defense.

(2) SECRETARY OF DEFENSE STUDY.—Not later than 90 days after the date on which the study required by paragraph (1) is submitted, the Sec-
retary of Defense shall—

(A) complete a comparative study on the defense budgets of the People’s Republic of China and the United States;

(B) submit to the Committees on Armed Services of the Senate and the House of Rep-
resentatives a report on the results of the study; and

(C) make the results of the study available to the public on the internet website of the Depart-
ment of Defense.

(3) METHODOLOGY.—The studies required by paragraphs (1) and (2) shall each employ a robust methodology that—
(A) does not depend on the official pronouncements of the Government of the People’s Republic of China or the Chinese Communist Party;

(B) takes into account the military-civil fusion present in the People’s Republic of China; and

(C) employs the building-block method of analysis or a similar method of analysis, as appropriate.

(4) OBJECTIVE.—The objective of the studies required by paragraphs (1) and (2) shall be to provide the people of the United States with an accurate comparison of the defense spending of the People’s Republic of China and the United States.

(b) ELEMENTS.—At a minimum, the studies required by this section shall do the following:

(1) Determine the amounts invested by each subject country across functional categories for spending, including—

(A) defense-related research and development;

(B) weapons procurement from domestic and foreign sources;

(C) operations and maintenance;
(D) pay and benefits;

(E) military pensions; and

(F) any other category the Secretary considers relevant.

(2) Consider the effects of purchasing power parity and market exchange rates, particularly on nontraded goods.

(3) Estimate the magnitude of omitted spending from official defense budget information and account for such spending in the comparison.

(4) Exclude spending related to veterans’ benefits, other than military pensions provided to veterans.

(e) Considerations.—The studies required by this section may take into consideration the following:

(1) The effects of state-owned enterprises on the defense expenditures of the People’s Republic of China.

(2) The role of differing acquisition policies and structures with respect to the defense expenditures of each subject country.

(3) Any other matter relevant to evaluating the resources dedicated to the defense spending or the various military-related outlays of the People’s Republic of China.
(d) FORM.—The studies required by this section shall be submitted in unclassified form, free of handling restrictions, but may include classified annexes.

SEC. 1258. BRIEFING ON PROVISION OF SECURITY ASSISTANCE BY THE PEOPLE’S REPUBLIC OF CHINA AND SUMMARY OF DEPARTMENT OF DEFENSE MITIGATION ACTIVITIES.

(a) BRIEFING.—Not later than March 1, 2024, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate committees of Congress a briefing that describes the provision of security assistance and training by the People’s Republic of China to foreign military forces for the purpose of achieving the national objectives of the People’s Republic of China.

(b) SUMMARY OF MITIGATION ACTIVITIES.—As part of the first report submitted under section 1206(c)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1960; 10 U.S.C. 301 note) after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a summary of Department of Defense activities designed to mitigate the provision of security assistance and training referred to in subsection (a), including such activities that—
(1) strengthen United States alliances and partnerships with foreign military partners;

(2) identify countries or governments to which the People’s Republic of China provides such security assistance or military training;

(3) dissuade countries and governments from relying on the People’s Republic of China as a partner for such security assistance and military training;

(4) identify any manner in which the United States, or close allies of the United States, may engage with countries and governments to be the preferred partner for security assistance and military training; and

(5) improve the ability of the United States Armed Forces to coordinate and operate with allies and partners for purposes of mitigating the provision of security assistance and military training by the People’s Republic of China.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and
(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 1259. SEMIANNUAL BRIEFINGS ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2027, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate committees of Congress with a briefing on bilateral agreements supporting the United States military posture in the Indo-Pacific region.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:


(2) An assessment of the impact on United States military operations if any individual or combination of allies and partners were to deny continued access, basing, or overflight rights, including with respect to—
(A) forward presence;
(B) agile basing;
(C) pre-positioned materials; or
(D) fueling and resupply.

c) APPROPRIATE COMMITTEES OF CONGRESS Defined.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1260. SEMIANNUAL BRIEFINGS ON MILITARY OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter through March 30, 2027, the Secretary of Defense shall provide to the congressional defense committees a briefing on—

(1) the military activities of the People’s Republic of China with respect to Taiwan and the South China Sea;

(2) efforts by the Department of Defense to engage with the People’s Liberation Army; and
(3) United States efforts to enable the defense of Taiwan and bolster maritime security in the South China Sea.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:

(1) An update on—

(A) military developments of the People’s Republic of China relating to any possible Taiwan or South China Sea contingency, including upgrades to the weapon systems of the People’s Republic of China, the procurement of new weapons by the People’s Republic of China, and changes to the posture of the People’s Liberation Army;

(B) military equipment acquired by Taiwan pursuant to the Presidential drawdown authority under section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) or through the direct commercial sales or foreign military sales processes;

(C) United States efforts to deter aggression by the People’s Republic of China in the Indo-Pacific region, including any campaigning or exercise activities conducted by the United States; and
(D) United States efforts to train the military forces of Taiwan and allies and partners in Southeast Asia.

(2) The most recent information regarding the readiness of or preparations by the People’s Liberation Army to potentially conduct aggressive military action against Taiwan.

(3) A description of any military activity carried out during the preceding quarter by the People’s Republic of China in the vicinity of Taiwan.

(4) A description of engagements by Department of Defense officials with the People’s Liberation Army, including with respect to maintaining open lines of communication, establishing crisis management capabilities, and deconfliction of military activities.

(5) Any other matter the Secretary considers relevant.

SEC. 1261. PROHIBITION ON USE OF FUNDS TO SUPPORT ENTERTAINMENT PROJECTS WITH TIES TO THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.

None of the funds authorized to be appropriated by this Act may be used to knowingly provide active and direct support to any film, television, or other entertainment
project if the Secretary of Defense has demonstrable evidence that the project has complied or is likely to comply with a demand from the Government of the People’s Republic of China or the Chinese Communist Party, or an entity under the direction of the People’s Republic of China or the Chinese Communist Party, to censor the content of the project in a material manner to advance the national interest of the People’s Republic of China.

SEC. 1262. PROHIBITION ON USE OF FUNDS FOR THE WUHAN INSTITUTE OF VIROLOGY.

None of the funds authorized to be appropriated under this Act may be made available for the Wuhan Institute of Virology for any purpose.

SEC. 1263. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT OF DEFENSE FUNDING TO CHINA’S RESEARCH LABS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Office of Inspector General shall conduct a study, and submit a report to Congress, regarding the amount of Federal funds awarded by the Department of Defense (whether directly or indirectly) through grants, contracts, subgrants, subcontracts, or any other type of agreement or collaboration, during the 10-year period immediately preceding such date of enactment, that—
(1) was provided, whether purposely or inadvertently, to—

(A) the People’s Republic of China;

(B) the Communist Party of China;

(C) the Wuhan Institute of Virology or any other organization administered by the Chinese Academy of Sciences;

(D) EcoHealth Alliance Inc., including any subsidiaries and related organizations that are directly controlled by EcoHealth Alliance, Inc.;

or

(E) any other lab, agency, organization, individual, or instrumentality that is owned, controlled (directly or indirectly), or overseen (officially or unofficially) by any of the entities listed in subparagraphs (A) through (D); or

(2) was used to fund research or experiments that could have reasonably resulted in the enhancement of any coronavirus, influenza, Nipah, Ebola, or other pathogen of pandemic potential or chimeric versions of such a virus or pathogen in the People’s Republic of China or any other foreign country.

(b) IDENTIFICATION OF COUNTRIES AND PATHOGENS.—The report required under subsection (a) shall specify—
(1) the countries in which the research or experiments described in subsection (a)(2) was conducted; and

(2) the pathogens involved in such research or experiments.

SEC. 1264. PROHIBITING FEDERAL FUNDING FOR ECOHEALTH ALLIANCE INC.

None of the funds authorized to be appropriated under this Act may be made available for any purpose to—

(1) EcoHealth Alliance, Inc.;

(2) any subsidiary of EcoHealth Alliance Inc;

(3) any organization that is directly controlled by EcoHealth Alliance Inc; or

(4) any organization or individual that is a sub-grantee or subcontractor of EcoHealth Alliance Inc.

SEC. 1265. ASSESSMENT RELATING TO CONTINGENCY OPERATIONAL PLAN OF UNITED STATES INDO-PACIFIC COMMAND.

(a) IN GENERAL.—The Secretary of Defense shall conduct an assessment, based on the contingency operational plan for a major conflict in the area of operations of the United States Indo-Pacific Command, to identify and characterize the dependencies of such plan on specific critical infrastructure facilities, capabilities, and services
for the successful mobilization, deployment, and sustainment of forces.

(b) BRIEFINGS.—The Secretary shall provide to the congressional defense committees—

(1) before the date on which the Secretary commences the assessment required by subsection (a), a briefing that sets forth the terms of reference and a plan for such assessment; and

(2) a briefing on the results of such assessment, not later than the earlier of—

(A) the date on which Secretary completes such assessment; or

(B) the date that is 180 days after the enactment of this Act.

SEC. 1266. ASSESSMENT OF ABSORPTIVE CAPACITY OF MILITARY FORCES OF TAIWAN.

(a) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the absorptive capacity of the military forces of Taiwan for military capabilities provided and approved by the United States for delivery to Taiwan in the last 10 years, including the
date of projected or achieved initial and full operational capabilities.

(2) **Briefing Requirement.**—Not later than 30 days after the delivery of the required report, the Secretary shall provide a briefing on the report to the appropriate committees of Congress.

(3) **Form.**—The required report shall be provided in classified form with an unclassified cover letter.

(b) **Definitions.**—In this section:

(1) **Absorptive Capacity.**—The term “absorptive capacity” means the capacity of the recipient unit to achieve initial operational capability, including to operate, maintain, sustain, deploy, and employ to operational effect, a defense article or service for its intended end-use.

(2) **Appropriate Committees of Congress.**—The term “appropriate committees of Congress” means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee
on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1267. ANALYSIS OF RISKS AND IMPLICATIONS OF POTENTIAL SUSTAINED MILITARY BLOCKADE OF TAIWAN BY THE PEOPLE’S REPUBLIC OF CHINA.

(a) Analysis Required.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with the Director of National Intelligence, shall complete a comprehensive analysis of the risks and implications of a sustained military blockade of Taiwan by the People’s Republic of China.

(2) Elements.—The analysis required by paragraph (1) shall include the following:

   (A) An assessment of the means by which the People’s Republic of China could execute a sustained military blockade of Taiwan, including the most likely courses of action through which the People’s Republic of China could accomplish such a blockade.
(B) An identification of indications and warnings of a potential sustained military blockade of Taiwan by the People’s Republic of China, and the likely timelines for such indications and warnings.

(C) An identification of other coercive actions the People’s Republic of China may potentially take before or independently of such a blockade, including the seizure of outlying islands of Taiwan.

(D) An assessment of the impact of such a blockade on the ability of Taiwan to sustain its military capabilities, economy, and population.

(E) An assessment of threats to, and other potential negative impacts on, the United States homeland during such a blockade scenario.

(F) An assessment of key military operational problems presented by such a blockade.

(G) An assessment of the concept-required military capabilities necessary to address the problems identified under subparagraph (F).

(H) An assessment of challenges to escalation management.
(I) An assessment of military or non-

military options to counter or retaliate against

such a blockade or the seizure of outlying is-

lands of Taiwan, including through horizontal

escalation.

(J) An assessment of the extent to which

such a blockade is addressed by the Joint

Warfighting Concept and Joint Concept for

Competing.

(K) An identification of necessary changes

to United States Armed Forces force design,

doctrine, and tactics, techniques, and proce-
dures for responding to or mitigating the im-

pact of such a blockade.

(L) An assessment of the role of United

States partners and allies in addressing the

threats and challenges posed by a such a poten-
tial blockade.

(M) Any other matter the Secretary of De-

defense considers relevant.

(b) INTERAGENCY ENGAGEMENT.—Not later than

270 days after the date of the enactment of this Act, the

Secretary of Defense shall seek to engage with the head

of any other appropriate Federal department or agency—
(1) regarding the threats and challenges posed
by a potential sustained military blockade of Taiwan
by the People’s Republic of China; and

(2) to better understand potential options for a
response by the United States Government to such
a blockade.

(c) REPORT.—Not later than one year after the date
of the enactment of this Act, the Secretary of Defense
shall submit to the appropriate committees of Congress
a classified report—

(1) on the assessment required by paragraph
(1) of subsection (a), including all elements de-
scribed in paragraph (2) of that subsection; and

(2) the interagency engagements conducted
under subsection (b).

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

(1) the Committee on Armed Services, the
Committee on Foreign Relations, the Select Com-
mittee on Intelligence, and the Committee on Approp-
riations of the Senate; and

(2) the Committee on Armed Services, the
Committee on Foreign Affairs, the Permanent Select
Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SEC. 1268. SENSE OF THE SENATE ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

(a) FINDINGS.—The Senate makes the following findings:

(1) The 2022 National Defense Strategy states, “[m]utually-beneficial Alliances and partnerships are our greatest global strategic advantage.”.

(2) The United States Indo-Pacific Strategy states, “we will prioritize our single greatest asymmetric strength: our network of security alliances and partnerships. Across the region, the United States will work with allies and partners to deepen our interoperability and develop and deploy advanced warfighting capabilities as we support them in defending their citizens and their sovereign interests.”.

(3) Secretary of Defense Lloyd Austin testified on March 28, 2023, that “our allies and partners are a huge force multiplier. They magnify our power, advance our shared security interests, and help uphold a world that is free, open, prosperous, and secure.”.
(4) Chairman of the Joint Chiefs of Staff General Milley testified on March 28, 2023, that “our alliances and partnerships are key to maintaining the rules-based international order and a stable and open international system promoting peace and prosperity. . . .We are stronger when we operate closely with our allies and partners.”.

(5) Commander of the United States Indo-Pacific Command Admiral Aquilino testified on April 20, 2023, that “a robust network of allies and partners, built on the strength of our shared interests, is our greatest advantage. United States Indo-Pacific Command is strengthening all layers of our security network: allies, multilateral arrangements, partners, friends, and the Five Eyes nations. We execute security cooperation activities, training, and exercises to strengthen those relationships, build partner capacity, and enhance interoperability.”.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Defense should continue efforts that strengthen United States defense alliances and partnerships in the Indo-Pacific region so as to further the comparative advantage of the United States in strategic competition with the People’s Republic of China, including by—
(1) enhancing cooperation with Japan, consistent with the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington, January 19, 1960, including by developing advanced military capabilities, fostering interoperability across all domains, and improving sharing of information and intelligence;

(2) reinforcing the United States alliance with the Republic of Korea, including by maintaining the presence of approximately 28,500 members of the United States Armed Forces deployed to the country and affirming the United States commitment to extended deterrence using the full range of United States defense capabilities, consistent with the Mutual Defense Treaty Between the United States and the Republic of Korea, signed at Washington, October 1, 1953, in support of the shared objective of a peaceful and stable Korean Peninsula;

(3) fostering bilateral and multilateral cooperation with Australia, consistent with the Security Treaty Between Australia, New Zealand, and the United States of America, signed at San Francisco, September 1, 1951, and through the partnership among Australia, the United Kingdom, and the United States (commonly known as “AUKUS”)—
(A) to advance shared security objectives;

(B) to accelerate the fielding of advanced military capabilities; and

(C) to build the capacity of emerging partners;

(4) advancing United States alliances with the Philippines and Thailand and United States partnerships with other partners in the Association of Southeast Asian Nations to enhance maritime domain awareness, promote sovereignty and territorial integrity, leverage technology and promote innovation, and support an open, inclusive, and rules-based regional architecture;

(5) broadening United States engagement with India, including through the Quadrilateral Security Dialogue—

(A) to advance the shared objective of a free and open Indo-Pacific region through bilateral and multilateral engagements and participation in military exercises, expanded defense trade, and collaboration on humanitarian aid and disaster response; and

(B) to enable greater cooperation on maritime security;
(6) strengthening the United States partnership with Taiwan, consistent with the Three Communiques, the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), and the Six Assurances, with the goal of improving Taiwan’s defensive capabilities and promoting peaceful cross-strait relations;

(7) reinforcing the status of the Republic of Singapore as a Major Security Cooperation Partner of the United States and continuing to strengthen defense and security cooperation between the military forces of the Republic of Singapore and the Armed Forces of the United States, including through participation in combined exercises and training;

(8) engaging with the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and other Pacific Island countries with the goal of strengthening regional security and addressing issues of mutual concern, including protecting fisheries from illegal, unreported, and unregulated fishing;

(9) collaborating with Canada, the United Kingdom, France, and other members of the European Union and the North Atlantic Treaty Organization to build connectivity and advance a shared vi-
sion for the region that is principled, long-term, and anchored in democratic resilience; and

(10) investing in enhanced military posture and capabilities in the area of responsibility of the United States Indo-Pacific Command and strengthening cooperation in bilateral relationships, multilateral partnerships, and other international fora to uphold global security and shared principles, with the goal of ensuring the maintenance of a free and open Indo-Pacific region.

Subtitle E—Securing Maritime Data From China

SEC. 1271. SHORT TITLE.

This subtitle may be cited as the “Securing Maritime Data from China Act of 2023”.

SEC. 1272. LOGINK DEFINED.

In this subtitle, the term “LOGINK” means the public, open, shared logistics information network known as the National Public Information Platform for Transportation and Logistics by the Ministry of Transport of the People’s Republic of China.

SEC. 1273. COUNTERING THE SPREAD OF LOGINK.

(a) CONTRACTING PROHIBITION.—The Department of Defense may not enter into or renew any contract with any entity that uses—
(1) LOGINK;

(2) any logistics platform controlled by, affiliated with, or subject to the jurisdiction of the Chinese Communist Party or the Government of the People’s Republic of China; or

(3) any logistics platform that shares data with a system described in paragraph (1) or (2).

(b) APPLICABILITY.—Subsection (a) applies with respect to any contract entered into or renewed on or after the date that is 2 years after the date of the enactment of this Act.

Subtitle F—Reports

SEC. 1281. REPORT ON DEPARTMENT OF DEFENSE ROLES AND RESPONSIBILITIES IN SUPPORT OF NATIONAL STRATEGY FOR THE ARCTIC REGION.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on Department of Defense roles and responsibilities in support of the National Strategy for the Arctic Region that includes—

(1) an identification of the Department’s lines of effort to support the implementation of the National Strategy for the Arctic Region, including the
implementation plan for each applicable military department;

(2) a plan for the execution of, and a projected timeline and the resource requirements for, each such line of effort; and

(3) any other matter the Secretary considers relevant.

Subtitle G—Other Matters

SEC. 1291. MILITARY INTELLIGENCE COLLECTION AND ANALYSIS PARTNERSHIPS.

(a) USE OF FUNDS OTHER THAN APPROPRIATED FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), the Director of the Defense Intelligence Agency, in coordination with the Secretary of State and the Director of National Intelligence, may accept and expend foreign partner funds in order for the foreign partner or partners to share with the Defense Intelligence Agency the expenses of joint and combined military intelligence collection and analysis activities.

(2) LIMITATIONS.—

(A) PREVIOUSLY DENIED FUNDS.—Funds accepted under this section may not be expended, in whole or in part, by or for the benefit of the Defense Intelligence Agency for any
purpose for which Congress has previously de-
nied funds.

(B) JOINT BENEFIT.—The authority pro-
vided by paragraph (1) may not be used to ac-
quire items or services for the sole benefit of
the United States.

(b) ANNUAL REPORT.—Not later than March 1,
2025, and annually thereafter for four years, the Director
of the Defense Intelligence Agency shall submit to the ap-
propriate committees of Congress a report on any funds
accepted or expended under this section during the pre-
ceding calendar year, including an identification of the for-
gain partner or partners involved and a description of the
purpose of such funds.

(c) TERMINATION.—The authority to accept and ex-
pend foreign partner funds pursuant to this section shall
terminate on December 31, 2028.

(d) APPROPRIATE COMMITTEES OF CONGRESS De-
FINED.—In this section, the term “appropriate commit-
tees of Congress” means—

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

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

SEC. 1292. COLLABORATION WITH PARTNER COUNTRIES TO DEVELOP AND MAINTAIN MILITARY-WIDE TRANSFORMATIONAL STRATEGIES FOR OPERATIONAL ENERGY.

(a) Establishment.—

(1) In general.—Not later than January 1, 2025, the Secretary of Defense shall establish a partnership program using existing authorities to collaborate with the military forces of partner countries in developing and maintaining military-wide transformational strategies for operational energy (in this section referred to as the “Program”).

(2) Organization.—The Assistant Secretary of Defense for Energy, Installations, and Environment, in coordination with the Under Secretary of Defense for Policy and in consultation with the Secretaries of the military departments, the commanders of the combatant commands, and any other individual the Secretary of Defense considers appropriate, shall be responsible for, and shall oversee, the Program.

(b) Objective.—The objective of the Program is to promote the readiness of the United States Armed Forces
and the military forces of partner countries for missions in contested logistics environments by focusing on demand reduction and employing more diverse and renewable operational energy sources so as to enhance energy security, energy resilience, and energy conservation, reduce logistical vulnerabilities, and ensure that supply lines are resilient to extreme weather, disruptions to energy supplies, and direct or indirect cyber attacks.

(c) Activities.—

(1) In general.—Under the Program, the United States Armed Forces and the military forces of each participating partner country shall, in coordination—

(A) establish policies to improve warfighting capability through energy security and energy resilience;

(B) integrate efforts to mitigate mutual contested logistics challenges through the reduction of operational energy demand;

(C) identify and mitigate operational energy challenges presented by any contested logistics environment, including through developing innovative delivery systems, distributed storage, flexible contracting, and improved automation;
(D) assess and integrate, to the extent practicable, any technology, including electric, hydrogen, nuclear, biofuels, and any other sustainable fuel technology or renewable energy technology, that may reduce operational energy demand in the near term or long term;

(E) assess and consider any infrastructure investment of allied and partner countries that may affect operational energy availability in the event of a conflict with a near-peer adversary; and

(F) assess and integrate, to the extent practicable—

(i) any technology that increases sustainability; and

(ii) any practice, technology, or strategy that reduces negative impacts on human health.

(2) **Country Considerations.**—In carrying out any activity under paragraph (1), to the extent practicable, the relevant existing and past military conflicts and cultural practices of, and beliefs prevalent in, the participating country shall be taken into account.

(d) **Strategy.**—
(1) IN GENERAL.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a strategy for the implementation of the Program.

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

(A) A governance structure for the Program, including—

(i) the officials tasked to oversee the Program;

(ii) the format of the governing body of the Program;

(iii) the functions and duties of such governing body with respect to establishing and maintaining the Program; and

(iv) mechanisms for coordinating with partner countries selected to participate in the Program.

(B) With respect to the selection of partner countries initially selected to participate in the Program—

(i) an identification of each such country;
(ii) the rationale for selecting each such country, including a description of—

(I) the benefits to the military forces of the partner country; and

(II) the benefits to the United States Armed Forces of participation by such country;

(iii) a description of any limitation on the participation of a selected partner country; and

(iv) any other information the Secretary considers appropriate.

(C) A list of additional authorities, appropriations, or other congressional support necessary to ensure the success of the Program.

(D) A campaign of objectives for the first three fiscal years of the Program, including—

(i) a description of, and a rationale for selecting, such objectives;

(ii) an identification of milestones toward achieving such objectives; and

(iii) metrics for evaluating success in achieving such objectives.
(E) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(F) Any other information the Secretary considers appropriate.

(3) **FORM.**—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than September 20, 2025, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the Program.

(2) **ELEMENTS.**—Each report required by paragraph (1) shall include the following:

(A) A narrative summary of activities conducted as part of the Program during the preceding fiscal year.

(B) Except in the case of the initial report, an assessment of progress toward the objectives established for the preceding fiscal year described in the preceding report under this subsection using the metrics established in such report.
(C) A campaign of objectives for the three fiscal years following the date of submission of the report, including—

(i) a description of, and a rationale for selecting, such objectives;

(ii) an identification of milestones toward achieving such objectives; and

(iii) metrics for evaluating success in achieving such objectives.

(D) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(E) Any other information the Secretary considers appropriate.

(3) FORM.— Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(f) TERMINATION.—The Program shall terminate on December 31, 2029.

(g) CONTESTED LOGISTICS ENVIRONMENT DEFINED.—In this section, the term “contested logistics environment” means an environment in which the United States Armed Forces or the military forces of a partner country engage in conflict with an adversary that presents challenges in all domains and directly targets logistics op-
sections, facilities, and activities in the United States, abroad, or in transit from one location to the other.

SEC. 1293. MODIFICATION OF SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 127c the following:

“§ 127d. Support of special operations for irregular warfare

“(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the relevant Chief of Mission, expend up to $20,000,000 during any fiscal year to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing and authorized irregular warfare operations by United States Special Operations Forces.

“(b) FUNDS.—Funds for support under this section in a fiscal year shall be derived from amounts authorized to be appropriated for that fiscal year for the Department of Defense for operation and maintenance.

“(c) PROCEDURES.—

“(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section.
“(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, the following:

“(A) Policy guidance for the execution of, and constraints within, activities under the authority in this section.

“(B) The processes through which activities under the authority in this section are to be developed, validated, and coordinated, as appropriate, with relevant entities of the United States Government.

“(C) The processes through which legal reviews and determinations are made to comply with the authority in this section and ensure that the exercise of such authority is consistent with the national security of the United States.

“(D) The processes to ensure, to the extent practicable, that before a decision to provide support is made, the recipients of support do not pose a counterintelligence or force protection threat and have not engaged in gross violations of human rights.

“(E) The processes by which the Department shall keep the congressional defense committees fully and currently informed of—
“(i) the requirements for the use of the authority in this section; and

“(ii) activities conducted under such authority.

“(3) NOTICE TO CONGRESS ON PROCEDURES AND MATERIAL MODIFICATIONS.—The Secretary shall notify the congressional defense committees of the procedures established pursuant to this section before any exercise of the authority in this section, and shall notify such committee of any material modification of the procedures.

“(d) CONSTRUCTION OF AUTHORITY.—Nothing in this section shall be construed to constitute a specific statutory authorization for any of the following:

“(1) The conduct of a covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

“(2) The introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

“(3) The provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that United States Special Oper-
ations Forces are not otherwise legally authorized to conduct themselves.

“(4) The conduct or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

“(e) LIMITATION ON DELEGATION.—The authority of the Secretary to make funds available under this section for support of a military operation may not be delegated.

“(f) PROGRAMMATIC AND POLICY OVERSIGHT.—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall have primary programmatic and policy oversight within the Office of the Secretary of Defense of support to irregular warfare activities authorized by this section.

“(g) NOTIFICATION.—

“(1) IN GENERAL.—Not later than 15 days before exercising the authority in this section to make funds available to initiate support of an ongoing and authorized operation or changing the scope or funding level of any support under this section for such an operation by $500,000 or an amount equal to 10 percent of such funding level (whichever is less), the Secretary shall notify the congressional defense committees of the use of such authority with respect to
such operation. Any such notification shall be in writing.

“(2) ELEMENTS.—A notification required by this subsection shall include the following:

“(A) The type of support to be provided to United States Special Operations Forces, and a description of the ongoing and authorized operation to be supported.

“(B) A description of the foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating the ongoing and authorized operation that is to be the recipient of funds.

“(C) The type of support to be provided to the recipient of the funds, and a description of the end-use monitoring to be used in connection with the use of the funds.

“(D) The amount obligated under the authority to provide support.

“(E) The duration for which the support is expected to be provided, and an identification of the timeframe in which the provision of support will be reviewed by the commander of the applicable combatant command for a determination
with respect to the necessity of continuing such support.

“(F) The determination of the Secretary that the provision of support does not constitute any of the following:

“(i) An introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).

“(ii) A covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

“(iii) An authorization for the provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that United States Special Operations Forces are not otherwise legally authorized to conduct themselves.
“(iv) The conduct or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

“(h) Notification of Suspension or Termination of Support.—

“(1) In general.—Not later than 48 hours after suspending or terminating support to any foreign force, irregular force, group, or individual provided pursuant to the authority in this section, the Secretary shall submit to the congressional defense committees a written notice of such suspension or termination.

“(2) Elements.—The written notice required by paragraph (1) shall include each of the following:

“(A) A description of the reasons for the suspension or termination of such support.

“(B) A description of any effect on regional, theater, or global campaign plan objectives anticipated to result from such suspension or termination.

“(C) A plan for such suspension or termination, and, in the case of support that is planned to be transitioned to any other program of the Department of Defense or to a program of any other Federal department or agen-
cy, a detailed description of the transition plan, including the resources, equipment, capabilities, and personnel associated with such plan.

“(i) Biannual Reports.—

“(1) Report on preceding fiscal year.—
Not later than 120 days after the close of each fiscal year in which subsection (a) is in effect, the Secretary shall submit to the congressional defense committees a report on the support provided under this section during the preceding fiscal year.

“(2) Report on current calendar year.—
Not later than 180 days after the submittal of each report required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on the support provided under this section during the first half of the fiscal year in which the report under this paragraph is submitted.

“(3) Elements.—Each report required by this subsection shall include the following:

“(A) A summary of the ongoing irregular warfare operations, and associated authorized campaign plans, being conducted by United States Special Operations Forces that were supported or facilitated by foreign forces, irregular forces, groups, or individuals for which support
was provided under this section during the period covered by such report.

“(B) A description of the support or facilitation provided by such foreign forces, irregular forces, groups, or individuals to United States Special Operations Forces during such period.

“(C) The type of recipients that were provided support under this section during such period, identified by authorized category (foreign forces, irregular forces, groups, or individuals).

“(D) A detailed description of the support provided to the recipients under this section during such period.

“(E) The total amount obligated for support under this section during such period, including budget details.

“(F) The intended duration of support provided under this section during such period.

“(G) An assessment of value of the support provided under this section during such period, including a summary of significant activities undertaken by foreign forces, irregular forces, groups, or individuals to support irreg-
ular warfare operations by United States Special Operations Forces.

“(H) The total amount obligated for support under this section in prior fiscal years.

“(j) QUARTERLY BRIEFINGS.—

“(1) IN GENERAL.—Not less frequently than quarterly, the Secretary shall provide to the congressional defense committees a briefing on the use of the authority provided by this section, and other matters relating to irregular warfare, with the primary purposes of—

“(A) keeping the congressional defense committees fully and currently informed of irregular warfare requirements and activities, including emerging combatant commands requirements; and

“(B) consulting with the congressional defense committees regarding such matters.

“(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

“(A) An update on irregular warfare activities within each geographic combatant command and a description of the manner in which such activities support the respective theater
campaign plan and the National Defense Strategy.

“(B) An overview of relevant authorities and legal issues, including limitations.

“(C) An overview of irregular warfare-related interagency activities and initiatives.

“(D) A description of emerging combatant command requirements for the use of the authority provided by this section.

“(k) IRREGULAR WARFARE DEFINED.—Subject to subsection (f), in this section, the term ‘irregular warfare’ means Department of Defense activities not involving armed conflict that support predetermined United States policy and military objectives conducted by, with, and through regular forces, irregular forces, groups, and individuals.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127c the following new item:

“127d. Support of special operations for irregular warfare.”.

(c) REPEAL.—Section 1202 of the National Defense Authorization Act for Fiscal Year 2018 is repealed.
SEC. 1294. MODIFICATION OF AUTHORITY FOR EXPENDITURE OF FUNDS FOR CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.

Section 127f of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (g), and (h), respectively;

(2) by inserting after subsection (b) the following new subsection (c):

“(c) PROCEDURES.—

“(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section.

“(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, each of the following:

“(A) Policy, strategy, or other guidance for the execution of, and constraints within, activities conducted under this section.

“(B) The processes through which activities conducted under this section are to be developed, validated, and coordinated, as appro-
appropriate, with relevant entities of the United States Government.

“(C) The processes through which legal reviews and determinations are made to comply with the authority in this section and ensure that the exercise of such authority is consistent with the national security interests of the United States.

“(D) The processes by which the Department of Defense shall keep the congressional defense committees fully and currently informed of—

“(i) the requirements for the use of the authority in this section; and

“(ii) activities conducted under such authority.

“(3) NOTICE TO CONGRESS.—The Secretary shall notify the congressional defense committees of any material modification to the procedures established under paragraph (1).”;

(3) by inserting after subsection (e), as redesignated, the following new subsection (f):

“(f) NOTIFICATION.—Not later than 15 days before exercising the authority in this section to make funds available to initiate a new operational preparation of the
environment activity or changing the scope or funding level of any support for such an operation by $1,000,000 or an amount equal to 20 percent of such funding level (whichever is less), or not later than 48 hours after exercising such authority if the Secretary determines that extraordinary circumstances that impact the national security of the United States exist, the Secretary shall notify the congressional defense committees of the use of such authority with respect to that activity. Any such notification shall be in writing.''; and

(4) by adding at the end the following new subsections:

"(i) Oversight by Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.—The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall have primary responsibility within the Office of the Secretary of Defense for oversight of policies and programs authorized by this section.

"(j) Construction of Authority.—Nothing in this section may be construed to constitute authority to conduct, or provide statutory authorization for, any of the following:

"(1) Execution of operational activities."
“(2) A covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

“(3) An introduction of the armed forces, (including the introduction of United States Armed Forces as such term is defined in section 8(e) of the War Powers Resolution (50 U.S.C. 1547(e))), into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).

“(4) Activities or support for activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

“(k) Operational Preparation of the Environment Defined.—In this section, the term ‘operational preparation of the environment’ means the conduct of activities in likely or potential operational areas to set conditions for mission execution.”.
SEC. 1295. MODIFICATION OF INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.


(1) in subsection (c)—

(A) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(B) by inserting after paragraph (6) the following new paragraph (7):

“(7) Policies to limit or prohibit funding provided by the Department of Defense for institutions or individual researchers who knowingly contract or make other financial arrangements with entities identified in the list described in paragraph (9), which policies shall include—

“(A) use of such list as part of a risk assessment decision matrix during proposal evaluations, including the development of a question for proposers or broad area announcements that require proposers to disclose any contractual or financial connections with such entities;
“(B) a requirement that the Department shall notify a proposer of suspected noncompliance with a policy issued under this paragraph and provide not less than 30 days to take actions to remedy such noncompliance;

“(C) the establishment of an appeals procedure under which a proposer may appeal a negative decision on a proposal if the decision is based on a determination informed by such list; and

“(D) a requirement that each awardee of funding provided by the Department shall disclose to the Department any contract or financial arrangement made with such an entity during the period of the award.”; and

(C) by adding at the end the following new paragraph:

“(11) Development of measures of effectiveness and performance to assess and track progress of the Department of Defense across the initiative, which measures shall include—

“(A) the evaluation of currently available data to support the assessment of such measures, including the identification of areas in which gaps exist that may require collection of
completely new data, or modifications to existing data sets;

“(B) current means and methods for the collection of data in an automated manner, including the identification of areas in which gaps exist that may require new means for data collection or visualization of such data; and

“(C) the development of an analysis and assessment methodology framework to make tradeoffs between the measures developed under this paragraph and other metrics related to assessing undue foreign influence on the Department of Defense research enterprise, such as commercial due diligence, beneficial ownership, and foreign ownership, control, and influence.”; and

(2) in subsection (e)(2), by adding at the end the following new subparagraph:

“(G) A description of the status of the measures of effectiveness and performance described in subsection (c)(11) for the period covered by such report, including an analytical assessment of the impact of such measures on the goals of the initiative.”.
SEC. 1296. MODIFICATION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

Section 1213(h) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), and moving such clauses, as redesignated, two ems to the right;

(2) by redesignating paragraph (1) as subparagraph (A) and moving such subparagraph, as redesignated, two ems to the right;

(3) by amending paragraph (2) to read as follows:

“(B) A description of any denied or refused ex gratia payment or request, including—

“(i) the date on which any such request was made;

“(ii) the steps the Department of Defense has taken to respond to the request;

“(iii) in the case of a refused payment, the reason for such refusal, if known; and

“(iv) any other reason for which a payment was not offered or made.”;
(4) by redesignating paragraph (3) as subparagraph (C) and moving such subparagraph, as redesignated, two ems to the right;

(5) by striking “Not later than” and inserting the following:

“(1) In general.—Not later than”; and

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

“(2) Public availability.—

“(A) In general.—Not later than 15 days after the date on which the Secretary of Defense submits each report required by paragraph (1), the Secretary shall make the report available to the public in an electronic format.

“(B) Privacy.—The Secretary of Defense shall exclude from each report made available to the public under subparagraph (A)—

“(i) confidential or personally identifiable information pertaining to specific payment recipients so as to ensure the safety and privacy of such recipients; and

“(ii) any confidential or classified information that would undermine Department of Defense operational security.”.
SEC. 1297. MODIFICATION OF AUTHORITY FOR COOPERATION ON DIRECTED ENERGY CAPABILITIES.


(1) in subsection (d), in the first sentence—

(A) by inserting “acting through the Under Secretary of Defense for Research and Engineering,” after “the Secretary of Defense,”; and

(B) by striking “may establish a program” and inserting “is authorized”; and

(2) by adding at the end the following new subsection:

“(e) Notification.—

“(1) In general.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall submit to the appropriate committees of Congress an assessment detailing—

“(A) the most promising directed energy missile defense technologies available for co-development with the Government of Israel;

“(B) any risks relating to the implementation of a directed energy missile defense tech-
nology co-development program with the Government of Israel;

“(C) an anticipated spending plan for fiscal year 2024 funding authorized by the National Defense Authorization Act for Fiscal Year 2024 to carry out this section; and

“(D) initial projections for likely funding requirements to carry out a directed energy missile defense technology co-development program with the Government of Israel over the five fiscal years beginning after the date of the enactment of that Act, as applicable.

“(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

“(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.”.

(b) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2024 by section 4201
for research, development, test, and evaluation for Advanced Component Development and Prototypes is hereby increased by $25,000,000, with the amount of the increase to be available for Israeli Cooperative Programs (PE 0603913C).

(c) Offset.—The amount authorized to be appropriated for fiscal year 2024 by section 4201 for research, development, test, and evaluation for the Air Force is hereby decreased by $25,000,000, with the amount of the decrease to be taken from the amounts available for VC–25B (PE 0401319F).

SEC. 1298. MODIFICATION OF ARCTIC SECURITY INITIATIVE.

Section 1090(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1927) is amended—

(1) in subparagraph (A), by striking “the Secretary may” and inserting “the Secretary shall”; and

(2) in subparagraph (B)(i), by striking “If the Initiative is established” and inserting “On the establishment of the Initiative”.

SEC. 1299. TERMINATION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(g) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578) is amended to read as follows:

“(g) TERMINATION.—The authority under this section shall terminate on December 31, 2023.”.

SEC. 1299A. EXTENSION OF PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

Section 1273 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1699) is amended to read as follows:

“For the one-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Department of Defense may not provide in-flight refueling pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority, to non-United States aircraft that engage in hostilities in

...
the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization for such use of the United States Armed Forces has been enacted.”.

SEC. 1299B. EXTENSION OF UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION.

Section 1279(f) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 8606 note) is amended by striking “December 31, 2024” and inserting “December 31, 2026”.

SEC. 1299C. PROHIBITION ON DELEGATION OF AUTHORITY TO DESIGNATE FOREIGN PARTNER FORCES AS ELIGIBLE FOR THE PROVISION OF COLLECTIVE SELF-DEFENSE SUPPORT BY UNITED STATES ARMED FORCES.

(a) In General.—The authority to designate foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces may not be delegated below the Secretary of Defense.

(b) Review.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall review existing designations of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces and provide the congres-
sional defense committees with a certification with respect to whether each such designation remains valid.

(c) **Waiver.** —

(1) **In general.** — The Secretary may waive the prohibition under subsection (a) if the Secretary determines that there are compelling circumstances that necessitate the waiver of such prohibition.

(2) **Notice.** — Not later than 48 hours after the Secretary exercises the waiver authority under paragraph (1), the Secretary shall submit to the congressional defense committees a notice of the waiver, which shall include—

(A) a description of the compelling circumstances that necessitated the waiver;

(B) a description of the United States national security interests served by the waiver;

(C) an identification of any named operation related to the waiver; and

(D) an articulation of any temporal, geographic, or other limitations on the waiver.

(d) **Rule of Construction.** — Nothing in this section shall be construed as invalidating a designation of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces
that is in effect as of the date of the enactment of this Act.

(c) **Collective Self-defense Defined.**—In this section, the term “collective self-defense” means the use of United States military force to defend designated foreign partner forces, their facilities, and their property.

**SEC. 1299D. Participation by Military Departments in Interoperability Programs with Military Forces of Australia, Canada, New Zealand, and the United Kingdom.**

(a) In General.—Section 1274 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350a note) is amended—

(1) in the section heading, by striking “**ADMINISTRATION OF THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES' PROGRAM**” and inserting “**PARTICIPATION BY MILITARY DEPARTMENTS IN INTEROPERABILITY PROGRAMS WITH MILITARY FORCES OF AUSTRALIA, CANADA, NEW ZEaland, AND THE UNITED KINGDOM**”; and

(2) in subsection (a)—

(A) by inserting “a military department of” after “the participation by”; and
(B) by striking “the land-force program known as the American, British, Canadian, and Australian Armies’ Program” and inserting “an interoperability program with the military forces of one or more participating countries specified in subsection (b)”.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1632) is amended by striking the item relating to section 1274 and inserting the following:

“Sec. 1274. Participation by military departments in interoperability programs with military forces of Australia, Canada, New Zealand, and the United Kingdom.”.

(2) The table of contents for title XII of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1977) is amended by striking the item relating to section 1274 and inserting the following:

“Sec. 1274. Participation by military departments in interoperability programs with military forces of Australia, Canada, New Zealand, and the United Kingdom.”.

SEC. 1299E. COOPERATION WITH ALLIES AND PARTNERS IN MIDDLE EAST ON DEVELOPMENT OF INTEGRATED REGIONAL CYBERSECURITY ARCHITECTURE.

(a) COOPERATION.—
IN GENERAL.—The Secretary of Defense, using existing authorities and in consultation with the head of any other Federal agency, as appropriate, shall seek to cooperate with allies and partners in the Middle East with respect to developing an integrated regional cybersecurity architecture and deepening military cybersecurity partnerships to defend military networks, infrastructure, and systems against hostile cyber activity.

PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under paragraph (1) shall be conducted in a manner that—

(A) is consistent with the protection of intelligence sources and methods; and

(B) appropriately protects sensitive information and the national security interests of the United States.

(b) STRATEGY.—

IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a strategy for cooperation with allies and partners in the Middle East to develop an integrated regional cybersecurity architecture to defend
military networks, infrastructure, and systems
against hostile cyber activity.

(2) ELEMENTS.—The strategy submitted under
paragraph (1) shall include the following:

(A) An assessment of the threat landscape
of cyberattacks, military networks, infrastruc-
ture, and systems against allies and partners
within the Middle East.

(B) A description of current efforts to
share, between the United States and allies and
partners within the Middle East, indicators and
warnings, tactics, techniques, procedures, threat
signatures, planning efforts, training, and other
similar information about cyber threats.

(C) An analysis of current bilateral and
multilateral defense protocols protecting mili-
tary networks, infrastructure, and systems and
sharing sensitive cyber threat information be-
tween the United States and allies and partners
in the Middle East.

(D) An assessment of whether a multi-
national integrated military cybersecurity part-
nership, including establishing a center in the
Middle East to facilitate such activities, would
improve collective security in the Middle East.
(E) An assessment of gaps in ally and partner capabilities that would have to be remedied in order to establish such a center.

(F) A description of any prior or ongoing effort to engage allies and partners in the Middle East in establishing—

(i) a multinational integrated cybersecurity partnership or other bilateral or multilateral defensive cybersecurity information sharing and training partnership; or

(ii) other cooperative defensive cybersecurity measures.

(G) An identification of elements of a potential multinational military cybersecurity partnership, or other bilateral or multilateral defensive cybersecurity measures, that—

(i) can be acquired and operated by specified foreign partners within the area of responsibility of the United States Central Command;

(ii) can only be provided and operated by the United States; and

(iii) can be provided by a third party entity contracted by the United States
Central Command jointly with specified foreign partners.

(H) Any other matter the Secretary of Defense considers relevant.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS defined.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1299F. FOREIGN ADVANCE ACQUISITION ACCOUNT.

(a) ESTABLISHMENT.—The Secretary of Defense may establish, within the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.), an account, to be known as the “Foreign Advance Acquisition Ac-
count” (in this section referred to as the “Account”), that shall be maintained separately from other accounts and used to accelerate the production of United States-produced end items in reasonable anticipation of the sale of such end items through the foreign military sales or direct commercial sales processes.

(b) USE OF FUNDS.—Amounts in the Account shall be made available to the Secretary of Defense for the following purposes:

(1) To finance the acquisition, using the procedures of the Special Defense Acquisition Fund, of defense articles and services in advance of the transfer of such articles and services to covered countries through the foreign military sales process.

(2) To provide a mechanism for covered countries to contribute funds, including before the completion of a letter of offer under the procedures of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the acquisition of such defense articles and services.

(3) To pay for storage, maintenance, and other costs related to the storage, preservation, and preparation for transfer of defense articles and services acquired using amounts in the Account prior to their transfer, and to pay for the administrative costs of
the Department of Defense incurred in the acquisition of such items to the extent not reimbursed pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)).

(c) CONTRIBUTIONS FROM COVERED COUNTRIES.—
The Secretary of Defense may accept contributions of amounts to the Account from any foreign person, entity, or government of a covered country.

(d) LIMITATIONS.—

(1) APPLICABILITY OF OTHER LAW.—Defense articles and services acquired by the Secretary of Defense using amounts in the Account may not be transferred to any foreign country unless such transfer is authorized by the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or other applicable law.

(2) PREVIOUSLY DENIED FUNDS.—Amounts in the Account may not be expended, in whole or in part, by or for the benefit of the Department of Defense for a purpose for which Congress has previously denied funds.

(3) ADDITIONAL LIMITATION.—Amounts in the Account may not be used to acquire items or services for the sole benefit of the United States.
(c) ANNUAL REPORT.—Not later than 60 days after
the date on which each fiscal year ends, the Secretary of
Defense shall submit to the appropriate committees of
Congress a report on the use of the Account that includes,
for such fiscal year—
(1) an identification of each covered country
that contributed to the Account;
(2) the amount deposited into the Account by
each such covered country; and
(3) for each such covered country, the des-
ignated defense articles or services acquired or to be
acquired.

(f) QUARTERLY REPORT.—Not later than 90 days
after the date of the enactment of this Act, and quarterly
thereafter, the Secretary of Defense shall submit to the
appropriate committees of Congress a report on the use
of the Account that includes, for each transaction—
(1) a description of the transaction;
(2) the amount of the transaction;
(3) the covered country concerned;
(4) an identification of any storage, mainte-
nance, or other costs associated with the transaction;
and
(5) the anticipated date of delivery of the appli-
cable defense articles or services.
(g) **Termination.**—The authority under subsection (b) to use funds in the Account shall terminate on January 1, 2028.

(h) **Rule of Construction.**—Nothing in this section shall be construed to limit or impair the responsibilities conferred on the Secretary of State or the Secretary of Defense under the Arms Export Control Act (22 U.S.C. 2751 et seq.) or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(i) **Definitions.**—In this section:

1. **Appropriate Committees of Congress.**—The term “appropriate committees of Congress” means—

   (A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

   (B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

2. **Covered Country.**—The term “covered country” means—

   (A) a country, other than the United States, that is a participant in the security partnership among Australia, the United King-
dom, and the United States (commonly known as the “AUKUS” partnership); (B) a member country of the North Atlantic Treaty Organization; and (C) any other country, as designated by the Secretary of Defense.

SEC. 1299G. LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL EXPENSES OF THE OFFICE OF THE SECRETARY OF DEFENSE.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense for travel expenses, not more than 75 percent may be obligated or expended until the Secretary of Defense submits—

(1) the implementation plan required by section 1087 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2802; 10 U.S.C. 161 note) relating to the requirement of such section to establish a joint force headquarters in the area of operations of United States Indo-Pacific Command to serve as an operational command;

(2) the plan required by section 1332(g)(2) of the National Defense Authorization Act for Fiscal
Year 2022 (Public Law 117–81; 135 Stat. 2008) relating to strategic competition in the areas of responsibility of United States Southern Command and United States Africa Command; and

(3) the strategy and posture review required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1743; 10 U.S.C. 397 note) relating to operations in the information environment.

SEC. 1299H. PLANS RELATED TO RAPID TRANSFER OF CERTAIN MISSILES AND DEFENSE CAPABILITIES.

(a) In General.—The Assistant Secretary of the Navy for Research, Development and Acquisition shall—

(1) develop a plan to prepare Navy Harpoon block IC missiles in a “sundown”, “deep stow”, or “demilitarized” condition code (including missiles removed from Navy surface ships) for rapid transfer to allies and security partners in the United States European Command and United States Indo-Pacific Command areas of responsibility, if so ordered; and

(2) establish a plan that would enable the rapid transfer of additional enhanced coastal defense capabilities that have tactical significance in assisting partners and allies in reclaiming sovereign territory, deterring maritime resupply of illegally seized terri-
tory, or aiding in preventing an amphibious invasion of sovereign territory.

(b) Submission to Congress.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary shall submit to the congressional defense committees the plans required by paragraphs (1) and (2) of subsection (a).

SEC. 1299I. ENSURING PEACE THROUGH STRENGTH IN ISRAEL.

(a) Extension of Authorities.—

(1) War reserves stockpile authority.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking “September 30, 2025” and inserting “January 1, 2028”.

(2) Rules governing the transfer of precision-guided munitions to Israel above the annual restriction.—Section 1275(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3980; 22 U.S.C. 2321h note) is amended by striking “on the date that is three years after the date of the enactment of this Act” and inserting “on January 1, 2028”.
(b) **Department of Defense Assessment of Type and Quantity of Precision-Guided Munitions and Other Munitions for Use by Israel.**—

(1) **In general.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through December 31, 2028, the Secretary of Defense shall conduct an assessment with respect to the following:

(A) The current quantity and type of precision-guided munitions in the stockpile pursuant to section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011).

(B) The quantity and type of precision-guided munitions necessary for Israel to protect its homeland and counter Hezbollah, Hamas, Palestinian Islamic Jihad, or any other armed terror group or hostile forces in the region in the event of a sustained armed confrontation.

(C) The quantity and type of other munitions necessary for Israel to protect its homeland and counter Hezbollah, Hamas, Palestinian Islamic Jihad, or any other armed group or hostile forces in the region in the event of a sustained armed confrontation.
(D) The quantity and type of munitions, including precision-guided munitions, necessary for Israel to protect its homeland and counter any combination of Hezbollah, Hamas, Palestinian Islamic Jihad, and any other armed terror groups or hostile forces in the region in the event of a multi-front, sustained armed confrontation.

(E) The resources the Government of Israel would need to dedicate to acquire the quantity and type of munitions, including precision-guided munitions, described in subparagraphs (B) through (D).

(F) Whether, as of the date on which the applicable assessment is completed, sufficient quantities and types of munitions, including precision-guided munitions, to conduct operations described in subparagraphs (B) through (D) are present in—

(i) the inventory of the military forces of Israel;

(ii) the War Reserves Stock Allies-Israel;

(iii) any other United States stockpile or depot within the area of responsibility of
United States Central Command, as the Secretary considers appropriate to disclose to the Government of Israel; or

(iv) the inventory of the United States Armed Forces, as the Secretary considers appropriate to disclose to the Government of Israel.

(G) The current inventory of such munitions, including precision-guided munitions, possessed by the United States, and whether, as of the date on which the applicable assessment is completed, the United States is assessed to have sufficient munitions to meet the requirements of current operation plans of the United States or global other munitions requirements.

(H) United States planning and steps being taken—

(i) to assist Israel to prepare for the contingencies, and to conduct the operations, described in subparagraphs (B) through (D); and

(ii) to resupply Israel with the quantity and type of such munitions described in such subparagraphs in the event of a
sustained armed confrontation described in such subparagraphs.

(I) The quantity and pace at which the United States is capable of pre-positioning, increasing, stockpiling, or rapidly replenishing, or assisting in the rapid replenishment of, such munitions in preparation for, and in the event of, such a sustained armed confrontation.

(2) CONSULTATION.—In carrying out the assessment required by paragraph (1), the Secretary shall consult with the Israeli Ministry of Defense, provided that the Israeli Ministry of Defense agrees to be so consulted.

(c) REPORTS.—

(1) DEPARTMENT OF DEFENSE ASSESSMENT.—Not later than 15 days after the date on which each Department of Defense assessment required by subsection (b) is completed, the Secretary shall submit to the appropriate committees of Congress a report on such assessment.

(2) PRE-POSITIONING AND STOCKPILE IMPLEMENTATION REPORT.—Not later than 180 days after the date on which the report required by paragraph (1) is submitted, and every 180 days thereafter through December 31, 2028, the Secretary
shall submit to the appropriate committees of Congress a report that—

(A) details the actions being taken by the United States, if any, to pre-position, increase, stockpile, address shortfalls, and otherwise ensure that the War Reserves Stock Allies-Israel has, and assist Israel in ensuring that Israel has, sufficient quantities and types of munitions, including precision-guided munitions, to conduct the operations described in subparagraphs (B) through (D) of subsection (b)(1); and

(B) includes a description of procedures implemented by the United States, if any, for rapidly replenishing, or assisting in the rapid replenishment of, stockpiles of such munitions for use by Israel as may be necessary.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—
(A) the Committee on Foreign Relations
and the Committee on Armed Services of the
Senate; and

(B) the Committee on Foreign Affairs and
the Committee on Armed Services of the House
of Representatives.

(d) CONSOLIDATION OF REPORTS.—

(1) Section 1273 of the John S. McCain Na-
tional Defense Authorization Act for Fiscal Year
2019 (Public Law 115–232; 132 Stat. 2066) is
amended by striking subsection (b).

(2) Section 1275 of the William M. (Mac)
Thornberry National Defense Authorization Act for
Fiscal Year 2021 (Public Law 116–283; 134 Stat.
3979; 22 U.S.C. 2321h note) is amended by striking
subsection (d).

SEC. 1299J. IMPROVEMENTS TO SECURITY COOPERATION
WORKFORCE AND DEFENSE ACQUISITION
WORKFORCE.

(a) RESPONSIBILITIES OF SECRETARY OF De-
fense.—

(1) IN GENERAL.—The Secretary of Defense
shall, consistent with the requirements of section
384 of title 10, United States Code, as amended by
section 1209 of this Act—
(A) carry out activities to professionalize, and increase the resources available to, the security cooperation workforce so as to enable the streamlining and expediting of the foreign military sales process; and

(B) seek to ensure that—

(i) members of the defense acquisition workforce involved in the foreign military sales process are aware of evolving United States regional and country-level defense capability-building priorities; and

(ii) members of the defense acquisition workforce are professionally evaluated using metrics to measure—

(I) responsiveness to foreign partner requests;

(II) ability to meet foreign partner capability and delivery schedule requirements; and

(III) advancement of foreign capability-building priorities described in the guidance updated under subsection (b).

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary
of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the resources necessary to implement paragraph (1), including—

(A) the anticipated costs of new personnel and training to carry out such paragraph;

(B) the estimated increase in foreign military sales administrative user fees necessary to offset such costs; and

(C) the feasibility and advisability of establishing, at the Department of Defense level or the military department level, a contracting capacity that—

(i) is specific to the execution of contracts for foreign military sales;

(ii) is fully funded by the Defense Security Cooperation Agency using foreign military sales administrative funds so as to ensure that such capacity is dedicated solely to foreign military sales contracting;

(iii) is monitored by the Defense Security Cooperation Agency Chief Performance Office, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, to ensure effectiveness in
meeting foreign military sales contracting requirements; and

(iv) empowers the Director of the Defense Security Cooperation Agency, in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Acquisition and Sustainment, to increase or decrease foreign military sales contracting capacity through the guidance updated under subsection (b).

(b) GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update, as necessary, Department of Defense guidance governing the execution of foreign military sales by the Department to ensure that such guidance—

(A) incorporates the National Security Strategy and the National Defense Strategy;

(B) is informed by the theater campaign plans and theater security cooperation strategies of the combatant commands; and
(C) is disseminated to the security cooperation workforce and the defense acquisition workforce.

(2) ELEMENTS.—The updated guidance required by paragraph (1) shall—

(A) identify—

(i) regional and country-level foreign defense capability-building priorities; and

(ii) levels of urgency and desired timelines for achieving foreign capability-building objectives; and

(B) provide guidance to the defense acquisition workforce regarding levels of resourcing, innovation, and risk tolerance that should be considered in meeting urgent needs.

(e) FOREIGN MILITARY SALES CONTINUOUS PROCESS IMPROVEMENT BOARD.—

(1) ESTABLISHMENT.—The Secretary of Defense may establish a Foreign Military Sales Continuous Process Improvement Board (in this section referred to as the “Board”) to serve as an enduring governance structure within the Department of Defense that reports to the Secretary on matters relating to the foreign military sales process so as to en-
hance accountability and continuous improvement within the Department, including the objectives of—

(A) improving the understanding, among officials of the Department, of ally and partner requirements;

(B) enabling efficient reviews for release of technology;

(C) providing allies and partner countries with relevant priority equipment;

(D) accelerating acquisition and contracting support;

(E) expanding the capacity of the defense industrial base; and

(F) working with other departments and agencies to promote broad United States Government support.

(2) Membership.—

(A) In general.—The Board shall be composed of not fewer than seven members, each of whom shall have expertise in the foreign military sales process.

(B) Restriction.—The Board may not have as a member—

(i) an officer or employee of the Department of Defense; or
(ii) a member of the United States Armed Forces.

(d) DEFINITIONS.—In this section:

(1) DEFENSE ACQUISITION WORKFORCE.—The term “defense acquisition workforce” means the Department of Defense acquisition workforce described in chapter 87 of title 10, United States Code.

(2) SECURITY COOPERATION WORKFORCE.—The term “security cooperation workforce” has the meaning given the term in section 384 of title 10, United States Code.

SEC. 1299K. MODIFICATION OF FOREIGN MILITARY SALES PROCESSING.

(a) RESPONSES.—

(1) LETTERS OF REQUEST FOR PRICING AND AVAILABILITY.—The Secretary of Defense shall seek to ensure that an eligible foreign purchaser that has submitted a letter of request for pricing and availability data receives a response to the letter not later than 45 days after the date on which the letter is received by a United States security cooperation organization, the Defense Security Cooperation Agency, or other implementing agency.

(2) LETTERS OF REQUEST FOR LETTERS OF OFFER AND ACCEPTANCE.—The Secretary of De-
fense shall seek to ensure that an eligible foreign purchaser that has submitted a letter of request for a letter of offer and acceptance receives a response—

(A) in the case of a letter of request for a blanket-order letter of offer and acceptance, cooperative logistics supply support arrangements, or associated amendments and modifications, not later than 45 days after the date on which the letter of request is received by a United States security cooperation organization, the Defense Security Cooperation Agency, or other implementing agency;

(B) in the case of a letter of request for a defined-order letter of offer and acceptance or associated amendments and modifications, not later than 100 days after such date; and

(C) in the case of a letter of request for a defined-order letter of offer and acceptance or associated amendments that involve extenuating factors, as approved by the Director of the Defense Security Cooperation Agency, not later than 150 days after such date.

(3) WAIVER.—The Secretary of Defense may waive paragraphs (1) and (2) if—
(A) such a waiver is in the national security interests of the United States; and

(B) not later than 5 days after exercising such waiver authority, the Secretary provides to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives notice of the exercise of such authority, including an explanation of the one or more reasons for failing to meet the applicable deadline.

(b) EXPANSION OF COUNTRY PRIORITIZATION.—

With respect to foreign military sales to member countries of the North Atlantic Treaty Organization, major non-NATO allies, major defense partners, and major security partners, the Secretary of Defense may assign a Defense Priorities and Allocations System order rating of DX (within the meaning of section 700.11 of title 15, Code of Federal Regulations (as in effect on the date of the enactment of this Act)).

(c) DEFINITIONS.—In this section:

(1) BLANKET-ORDER LETTER OF OFFER AND ACCEPTANCE.—The term “blanket-order letter of offer and acceptance” means an agreement between an eligible foreign purchaser and the United States
Government for a specific category of items or services (including training) that—

(A) does not include a definitive listing of items or quantities; and

(B) specifies a maximum dollar amount against which orders for defense articles and services may be placed.

(2) **Cooperative logistics supply support arrangement.**—The term “cooperative logistics supply support arrangement” means a military logistics support arrangement designed to provide responsive and continuous supply support at the depot level for United States-made military materiel possessed by foreign countries or international organizations.

(3) **Defined-order letter of offer and acceptance.**—The term “defined-order letter of offer and acceptance” means a foreign military sales case characterized by an order for a specific defense article or service that is separately identified as a line item on a letter of offer and acceptance.

(4) **Implementing agency.**—The term “implementing agency” means the military department or defense agency assigned, by the Director of the
Defense Security Cooperation Agency, the responsibilities of—

(A) preparing a letter of offer and acceptance;

(B) implementing a foreign military sales case; and

(C) carrying out the overall management of the activities that—

(i) will result in the delivery of the defense articles or services set forth in the letter of offer and acceptance; and

(ii) was accepted by an eligible foreign purchaser.

(5) LETTER OF REQUEST.—The term “letter of request”—

(A) means a written document—

(i) submitted to a United States security cooperation organization, the Defense Security Cooperation Agency, or an implementing agency by an eligible foreign purchaser for the purpose of requesting to purchase or otherwise obtain a United States defense article or defense service through the foreign military sales process; and
(ii) that contains all relevant information in such form as may be required by the Secretary of Defense; and

(B) includes—

(i) a formal letter;

(ii) an e-mail;

(iii) signed meeting minutes from a recognized official of the government of an eligible foreign purchaser; and

(iv) any other form of written document, as determined by the Secretary of Defense or the Director of the Defense Security Cooperation Agency.

(6) MAJOR DEFENSE PARTNER.—The term “major defense partner” means—

(A) India; and

(B) any other country, as designated by the Secretary of Defense.

(7) MAJOR NON-NATO ALLY.—The term “major non-NATO ally”—

(A) has the meaning given the term in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403)); and

(B) includes Taiwan, as required by section 1206 of the Security Assistance Act of

(8) **MAJOR SECURITY PARTNER.**—The term “major security partner” means—

(A) the United Arab Emirates;

(B) Bahrain;

(C) Saudi Arabia; and

(D) any other country, as designated by the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence.

**TITLE XIII—COOPERATIVE THREAT REDUCTION**

**SEC. 1301. COOPERATIVE THREAT REDUCTION FUNDS.**

(a) **FUNDING ALLOCATION.**—Of the $350,999,000 authorized to be appropriated to the Department of Defense for fiscal year 2024 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $6,815,000.
(2) For chemical weapons destruction, $16,400,000.

(3) For global nuclear security, $19,406,000.

(4) For cooperative biological engagement, $228,030,000.

(5) For proliferation prevention, $46,324,000.

(6) For activities designated as Other Assessments/Administrative Costs, $34,024,000.

(b) Specification of Cooperative Threat Reduction Funds.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2024, 2025, and 2026.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.
SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) Use.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.
SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. RECOVERY OF RARE EARTH ELEMENTS AND OTHER STRATEGIC AND CRITICAL MATERIALS THROUGH END-OF-LIFE EQUIPMENT RECYCLING.

The Secretary of Defense shall establish policies and procedures—

(1) to identify end-of-life equipment of the Department of Defense that contains rare earth elements and other materials determined pursuant to section 3(a) of the Strategic and Critical Materials
Stock Piling Act (50 U.S.C. 98b(a)) to be strategic and critical materials; and

(2) to identify, establish, and implement policies and procedures to recover such materials from such equipment for the purposes of reuse by the Department of Defense.

SEC. 1412. IMPROVEMENTS TO STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) PURPOSES.—Section 2 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by adding at the end the following new subsection:

“(d) To the maximum extent practicable and to reduce the reliance of the National Defense Stockpile program on appropriated funds, the National Defense Stockpile Manager shall seek to achieve positive cash flows from the recovery of strategic and critical materials pursuant to section 6(a)(5).”.

(b) STOCKPILE MANAGEMENT.—Section 6 of such Act (50 U.S.C. 98e) is amended—

(1) in subsection (a)(5), by striking “from excess” and all that follows and inserting “from other Federal agencies, either directly as materials or embedded in excess-to-need, end-of-life items, or waste streams;”;}
(2) in subsection (c)(1), by striking “subsection (a)(5) or (a)(6)” and inserting “subsection (a)(6) or (a)(7)”; 

(3) in subsection (d)(2), by striking “subsection (a)(5)” and inserting “subsection (a)(6)”; and 

(4) by adding at the end the following new subsections:

“(g)(1) The National Defense Stockpile Manager shall establish a pilot program to use, to the maximum extent practicable, commercial best practices in the acquisition and disposal of strategic and critical materials for the stockpile.

“(2)(A) The Stockpile Manager shall brief the congressional defense committees (as defined in section 101(a) of title 10, United States Code)—

“(i) as soon as practicable after the establishment of the pilot program under paragraph (1); and

“(ii) annually thereafter until the termination of the pilot program under paragraph (3).

“(B) The briefing required by subparagraph (A)(i) shall address—

“(i) the commercial best practices selected for use under the pilot program;

“(ii) how the Stockpile Manager determined which commercial best practices to select; and
“(iii) the plan of the Stockpile Manager for using such practices.

“(C) Each briefing required by subparagraph (A)(ii) shall provide a summary of—

“(i) how the Stockpile Manager has used commercial best practices under the pilot program during the year preceding the briefing;

“(ii) how many times the Stockpile Manager has used such practices;

“(iii) the outcome of each use of such practices;

and

“(iv) any savings achieved or lessons learned as a result of the use of such practices.

“(3) The pilot program established under paragraph (1) shall terminate effective on the date that is 5 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.

“(h) Unless otherwise necessary for national defense, the National Defense Stockpile Manager shall implement recovery programs under subsection (a)(5) to be cash flow positive.”.

(c) DEVELOPMENT AND CONSERVATION OF RELIABLE SOURCES.—

(1) IN GENERAL.—Section 15 of such Act (50 U.S.C. 98h–6) is amended to read as follows:
SEC. 15. DEVELOPMENT AND CONSERVATION OF RELIABLE SOURCES.

(a) Duties.—Subject to subsection (c), the National Defense Stockpile Manager shall encourage the development and appropriate conservation of reliable sources of strategic and critical materials—

(1) by purchasing, or making a commitment to purchase, strategic and critical materials from reliable sources when such materials are needed for the stockpile;

(2) by contracting with facilities located in and owned and controlled by reliable sources, or making a commitment to contract with such facilities, for the processing or refining of strategic and critical materials in the stockpile when processing or refining is necessary to convert such materials into a form more suitable for storage or disposition or meeting stockpile requirements;

(3) by qualifying facilities located in and owned and controlled by reliable sources, or qualifying strategic and critical materials produced by such facilities, to meet stockpile requirements;

(4) by contracting with facilities located in and owned and controlled by reliable sources to recycle strategic and critical materials to meet stockpile requirements or increase the balance of the National
Defense Stockpile Transaction Fund under section 9; and

“(5) by entering into an agreement to co-fund a bankable feasibility study for a project for the development of strategic and critical materials located in and owned and controlled by a reliable source, if the agreement—

“(A) limits the liability of the stockpile to not more than the total funding provided by the Federal Government;

“(B) limits the funding contribution of the Federal Government to not more than 50 percent of the cost of the bankable feasibility study; and

“(C) does not obligate the Federal Government to purchase strategic and critical materials from the reliable source.

“(b) ADDITIONAL AUTHORIES.—

“(1) EXTENDED CONTRACTING AUTHORITY.—

“(A) IN GENERAL.—The term of a contract or commitment made under subsection (a) may not exceed ten years.

“(B) PREEXISTING CONTRACTS.—A contract entered into before the date of the enactment of the National Defense Authorization Act
for Fiscal Year 2024 for a term of more than ten years may be extended, on or after such date of enactment, for a total of not more than an additional ten years pursuant to any option or options set forth in the contract.

“(2) Matters relating to co-funding of bankable feasibility studies.—To the extent authorized by Congress pursuant to the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and determined to be required by the President pursuant to that Act, the National Defense Stockpile Manager may provide for loans or procure debt issued by other entities to carry out a project for the development of strategic and critical materials under subsection (a)(5).

“(c) Proposed transactions included in annual materials plan.—Descriptions of proposed transactions under subsection (a) shall be included in the Annual Materials and Operations Plan. Changes to any such transaction, or the addition of a transaction not included in such plan, shall be made in accordance with section 5.

“(d) Availability of funds.—The authority of the National Defense Stockpile Manager to enter into obligations under this section is effective for any fiscal year only to the extent that funds in the National Defense Stockpile...
Transaction Fund under section 9 are adequate to meet such obligations.

“(e) Bankable Feasibility Study Defined.—In this section, the term ‘bankable feasibility study’ means a comprehensive technical and economic study—

“(1) of the selected development option for a strategic and critical materials project that includes appropriately detailed assessments of realistically assumed extraction, processing, metallurgical, economic, marketing, legal, environmental, social, and governmental considerations and any other relevant operational factors and detailed financial analysis, that are necessary to demonstrate at the time of reporting that production is reasonably justified; and

“(2) that may reasonably serve as the basis for a final decision by a proponent of a project or financial institution to proceed with, or finance, the development of the project.”.

(2) Conforming Amendments.—

(A) Materials Research and Development.—Section 8(a) of such Act (50 U.S.C. 98g(a)) is amended—

(i) in paragraph (1)(A), by striking “or in its territories or possessions,” and
inserting "its territories or possessions, or
in a reliable source"; and

(ii) in paragraph (2), by striking "in
order to—" and all that follows through
"mineral products." and inserting the fol-
lowing: "in order to develop new sources of
strategic and critical materials, develop
substitutes, or conserve domestic sources
and reliable sources of supply for such
strategic and critical materials.".

(B) DEFINITIONS.—Section 12 of such Act
(50 U.S.C. 98h–3) is amended by striking para-
graph (3) and inserting the following new para-
graph (3):

"(i) The term 'reliable source' mean a
citizen or business entity of—

"(I) the United States or any
territory or possession of the United
States;

"(II) a country of the national
technology and industrial base, as de-
defined in section 4801 of title 10,
United States Code; or

"(III) a qualifying country, as
defined in section 225.003 of the De-
fense Federal Acquisition Regulation Supplement.”.

(d) TECHNICAL AMENDMENT.—Subsection (e) of section 10 of such Act (50 U.S.C. 98h–1) is amended to read as follows:

“(e) APPLICATION OF PROVISIONS RELATING TO FEDERAL ADVISORY COMMITTEES.—Section 1013 of title 5, United States Code, shall not apply to the Board.”.

SEC. 1413. AUTHORITY TO DISPOSE OF MATERIALS FROM THE NATIONAL DEFENSE STOCKPILE.

Pursuant to section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager may dispose of the following materials contained in the National Defense Stockpile in the following quantities:

1. 8 short tons of beryllium.
2. 154,043 short dry tons of metallurgical grade manganese ore.
3. 5,000 kilograms of germanium.
4. 91,413 pounds of pan-based carbon fibers.
5. Not more than 1,000 short tons of materials transferred from another department or agency of the United States to the National Defense Stockpile under section 4(b) of such Act (50 U.S.C. 98c(b)) that the National Defense Stockpile Man-
ager determines is no longer required for the Stock-
pile (in addition to any amount of such materials
previously authorized for disposal).

SEC. 1414. BEGINNING BALANCES OF THE NATIONAL DE-
FENSE STOCKPILE TRANSACTION FUND FOR
AUDIT PURPOSES.

For purposes of an audit conducted under chapter
9A of title 10, United States Code, of the National De-
defense Stockpile Transaction Fund established by section
9 of the Strategic and Critical Materials Stock Piling Act
(50 U.S.C. 98h)—

(1) the ending balance of $313,633,491.15 re-
ported in the Central Accounting Reporting System
of the Department of the Treasury for September
30, 2021, is the Fund Balance with Treasury ending
balance on that date;

(2) the Total Actual Resources–Collected open-
ing balance for October 1, 2021, for United States
Standard General Ledger Account 420100 is
$314,548,154.42, as recorded in official accounting
records; and

(3) the Unapportioned–Unexpired Authority
ending balance for September 30, 2021, for United
States Standard General Ledger Account 445000 is
Subtitle C—Other Matters

SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT
DEPARTMENT OF DEFENSE-DEPARTMENT OF
VETERANS AFFAIRS MEDICAL FACILITY DEM-
ONSTRATION FUND FOR CAPTAIN JAMES A.
LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) Authority for Transfer of Funds.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $172,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

(b) Treatment of Transferred Funds.—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) Use of Transferred Funds.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used

$216,976,300.69, as recorded in official accounting records.
are operations of the Captain James A. Lovell Federal
Health Care Center, consisting of the North Chicago Vet-
erans Affairs Medical Center, the Navy Ambulatory Care
Center, and supporting facilities designated as a combined
Federal medical facility under an operational agreement
covered by section 706 of the Duncan Hunter National
Defense Authorization Act for Fiscal Year 2009 (Public

SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR
ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fis-
cal year 2024 from the Armed Forces Retirement Home
Trust Fund the sum of $77,000,000 for the operation of
the Armed Forces Retirement Home.

SEC. 1423. MODIFICATION OF LEASING AUTHORITY OF
ARMED FORCES RETIREMENT HOME.

(a) AGREEMENTS; APPROVAL AND NOTIFICATION.—
Section 1511(i) of the Armed Forces Retirement Home
Act of 1991 (24 U.S.C. 411(i)) is amended by adding at
the end the following new paragraphs:

“(9) Before entering into a lease described in this
subsection, the Chief Operating Officer may enter into an
agreement with a potential lessee providing for a period
of exclusivity, access, study, or for similar purposes. The
agreement shall provide for the payment (in cash or in
kind) by the potential lessee of consideration for the agreement unless the Chief Operating Officer determines that payment of consideration will not promote the purpose and financial stability of the Retirement Home or be in the public interest.

“(10) No further approval by the Secretary of Defense, nor notification or report to Congress, shall be required for subordinate leases under this subsection unless the facts or terms of the original lease have materially changed.”.

(b) ADMINISTRATION OF FUNDS.—Section 1511(i)(7) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(i)) is amended—

(1) by inserting “an agreement with a potential lessee or” after “The proceeds from”; and

(2) by striking the period at the end and inserting “, to remain available for obligation and expenditure to finance expenses of the Retirement Home related to the formation and administration of agreements and leases entered into under the provisions of this subsection.”.
TITLE XV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS
Subtitle A—Space Activities

SEC. 1501. ACQUISITION STRATEGY FOR PHASE 3 OF THE NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) Fiscal Years 2025 Through 2029.—With respect to the acquisition strategy for Phase 3 of the National Security Space Launch program, for fiscal years 2025 through 2029, the Secretary of Defense shall establish—

(1) a low-risk launch program, to be known as “Lane One”, that consists of an indefinite delivery indefinite quantity acquisition approach based on not fewer than 20 launches so as to encourage the capabilities of new entrants that have conducted not fewer than one previous launch; and

(2) a launch program, similar to the Phase Two National Security Assured Access Launch program, to be known as “Lane Two”, that meets all National Security Space Launch requirements, with full mission assurance, based on not fewer than 35 launches.
(b) Fiscal Years 2027 Through 2029.—With respect to the acquisition strategy for Phase 3 of the National Security Space Launch program, for fiscal years 2027 through 2029, the Secretary of Defense shall establish an accession launch program, to be known as “Lane Two A”, using the requirements of the program established under subsection (a)(2) based on five launches of GPS Block IIIF satellites or satellites the launches of which are complex, high-energy missions.

SEC. 1502. INITIAL OPERATING CAPABILITY FOR ADVANCED TRACKING AND LAUNCH ANALYSIS SYSTEM AND SYSTEM-LEVEL REVIEW.

(a) Advanced Tracking and Launch Analysis System.—

(1) Date for Initial Operating Capability.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall—

(A) designate a date for the delivery of the initial operating capability for the Advanced Tracking and Launch Analysis System (ATLAS); and

(B) notify the congressional defense committees of such date.
(2) Effect of failure to timely deliver.—If the initial operating capability for ATLAS is not achieved by the date designated under paragraph (1)(A), the Secretary shall—

(A) terminate the ATLAS program;

(B) designate an alternative program option that provides a comparable capability to the capability intended to be provided by ATLAS; and

(C) not later than 30 days after such date, notify the congressional defense committees with respect to—

(i) such termination;

(ii) the designated alternative program option;

(iii) the justification for selecting such option; and

(iv) the estimated time and total costs to completion of such option.

(b) System-level Review.—

(1) In general.—The Secretary shall enter into a contract with a federally funded research and development center under which the federally funded research and development center shall, not less frequently than every 2 years through 2032, conduct a
review of the space command and control software acquisition program to assess the ability of such program to build a software framework that integrates multiple aspects of space operations to enable the warfighter to command and control space assets in a time of conflict.

(2) ELEMENTS.—Each review under paragraph (1) shall consider the integration into such software framework of the following:

   (A) Sensor data applicable to the command and control of space assets.

   (B) Information contained in the Unified Data Library relating to the number and location of space objects.

   (C) The ability to control space assets based on such data and information.

   (D) Any other matter the Secretary considers necessary.

(3) BRIEFING.—The Secretary shall provide the congressional defense committees with a briefing on the findings of each review under paragraph (1), including—

   (A) an assessment of any deficiency identified in the review; and
(B) a plan to address such deficiency in a 
timely manner.

SEC. 1503. DEPARTMENT OF THE AIR FORCE RESPONSIBILITY FOR SPACE-BASED GROUND AND AIRBORNE MOVING TARGET INDICATION.

(a) In General.—The Department of the Air Force shall be responsible for—

(1) serving as the final authority for the tasking of space-based ground and airborne moving target indication systems that—

(A) are primarily or fully funded by the Department of Defense; and

(B) provide near real-time, direct support to satisfy theater operations; and

(2) presenting such capability to the combatant commands to accomplish the warfighting missions of the combatant commands under the Unified Command Plan.

(b) Milestone Development Authority.—Subject to section 4204 of title 10, United States Code, the Secretary of the Air Force, in consultation with the Director of National Intelligence, shall be the Milestone A approval (as defined in section 4211 of such title) decision authority for space-related acquisition programs for ground and airborne moving target indication collection
assets described in subsection (a) that are primarily or fully funded within the Military Intelligence Program.

SEC. 1504. PRINCIPAL MILITARY DEPUTY FOR SPACE ACQUISITION AND INTEGRATION.

Section 9016(b)(6) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) The Assistant Secretary of the Air Force for Space Acquisition and Integration shall have a Principle Military Deputy for Space Acquisition and Integration, who shall be an officer of the Space Force on active duty. The Principal Military Deputy for Space Acquisition and Integration shall be appointed from among officers who have significant experience in the areas of acquisition and program management. The position of Principal Military Deputy for Space Acquisition and Integration shall be designated as a critical acquisition position under section 1731 of this title. In the event of a vacancy in the position of Assistant Secretary of the Air Force for Space Acquisition and Integration, the Principal Military Deputy for Space Acquisition and
Integration may serve as Acting Assistant Secretary for Space Acquisition and Integration for a period of not more than one year.”

SEC. 1505. USE OF MIDDLE TIER ACQUISITION AUTHORITY FOR SPACE DEVELOPMENT AGENCY ACQUISITION PROGRAM.

(a) In General.—The Director of the Space Development Agency shall use the middle tier of acquisition authority, consistent with section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 3201 note prec.) and Department of Defense Instruction 5000.80, entitled “Operation of the Middle Tier of Acquisition (MTA)” and issued on December 30, 2019 (or a successor instruction), for the rapid fielding of satellites and associated systems for Tranche 1, Tranche 2, and Tranche 3 of the proliferated warfighter space architecture of the Space Development Agency.

(b) Rapid Prototyping and Fielding.—Any tranche of satellites or associated systems developed and fielded under subsection (a) shall have a level of maturity that allows such satellites or systems to be rapidly prototyped within an acquisition program or rapidly fielded within five years of the development of an approved requirement.
(c) Designation as Major Capability Acquisition.—

(1) In general.—The Under Secretary of Defense for Acquisition and Sustainment may designate a tranche described in subsection (a) as a major capability acquisition program, consistent with Department of Defense Instruction 5000.80, entitled “Operation of the Middle Tier of Acquisition (MTA)” and issued on December 30, 2019 (or a successor instruction).

(2) Notice to Congress.—Not later than 90 days before the date on which a designation under paragraph (1) is made, the Under Secretary of Defense for Acquisition and Sustainment shall notify the congressional defense committees of the intent to so designate and provide a justification for such designation.

SEC. 1506. SPECIAL AUTHORITY FOR PROVISION OF COMMERCIAL SPACE LAUNCH SUPPORT SERVICES.

(a) In general.—Chapter 135 of title 10, United States Code, is amended by inserting after section 2276 the following new section:
§ 2276a. Special authority for provision of commercial space launch support services

(a) In General.—The Secretary of a military department, pursuant to the authority provided by this section and any other provision of law, may support Federal and commercial space launch capacity on any domestic real property under the control of the Secretary through the provision of space launch support services.

(b) Provision of Launch Equipment and Services to Commercial Entities.—

(1) Agreement Authority.—

(A) In General.—The Secretary concerned may enter into a contract, or conduct any other transaction, with a commercial entity that intends to conduct space launch activities on a military installation under the jurisdiction of the Secretary, including a contract or other transaction for the provision of supplies, services, equipment, and construction needed for commercial space launch.

(B) Nondelegation.—The Secretary may not delegate the authority provided in subparagraph (A).

(2) Agreement Costs.—

(A) Direct Costs.—A contract entered into, or a transaction conducted, under para-
graph (1) shall include a provision that requires
the commercial entity entering into the contract
or conducting the transaction to reimburse the
Department of Defense for all direct costs to
the United States that are associated with the
goods, services, and equipment provided to the
commercial entity under the contract or trans-
action.

“(B) INDIRECT COSTS.—A contract en-
tered into, or a transaction conducted, under
paragraph (1) may—

“(i) include a provision that requires
the commercial entity to reimburse the De-
partment of Defense for such indirect costs
as the Secretary concerned considers to be
fair and reasonable; and

“(ii) provide for the recovery of indi-
rect costs through establishment of a rate,
fixed price, or similar mechanism the Sec-
retary concerned considers to be fair and
reasonable.

“(3) RETENTION OF FUNDS COLLECTED FROM
COMMERCIAL USERS.—Amounts collected from a
commercial entity under paragraph (2) shall be cred-
ited to the appropriation accounts under which the
costs associated with the contract (direct and indirect) were incurred.

“(4) REGULATIONS.—The Secretary shall promulgate regulations to carry out this subsection.

“(c) DEFINITIONS.—In this section:

“(1) SPACE LAUNCH.—The term 'space launch’ includes all activities, supplies, equipment, facilities, and services supporting launch preparation, launch, reentry, recovery, and other launch-related activities for the payload and the space transportation vehicle.

“(2) COMMERCIAL ENTITY; COMMERCIAL.—The terms ‘commercial entity’ and ‘commercial’ means a non-Federal entity organized under the laws of the United States or of any jurisdiction within the United States.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 135 of title 10, United States Code, is amended by inserting after the item relating to section 2276 the following:

“2276a. Special authority for provision of commercial space launch support services.”.
SEC. 1507. TREATMENT OF POSITIONING, NAVIGATION, AND TIMING RESILIENCY, MODIFICATIONS, AND IMPROVEMENTS PROGRAM AS ACQUISITION CATEGORY 1D PROGRAM.

The Under Secretary of Defense for Acquisition and Sustainment shall treat the Positioning, Navigation, and Timing Resiliency, Modifications, and Improvements program of the Air Force (Program Element 0604201F) as an acquisition category 1D program, and the authority to manage such program may not be delegated.

SEC. 1508. BRIEFING ON CLASSIFICATION PRACTICES AND FOREIGN DISCLOSURE POLICIES REQUIRED FOR COMBINED SPACE OPERATIONS.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall provide a briefing to the appropriate committees of Congress on the classification practices and foreign disclosure policies required to enable the development and conduct of combined space operations among the following countries:

(1) Australia.
(2) Canada.
(3) France.
(4) Germany.
(5) New Zealand.
(6) The United Kingdom.
(7) The United States.

(8) Any other ally or partner country, as determined by the Secretary of Defense or the Director of National Intelligence.

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

(1) The military and national intelligence information required to be shared with the countries described in subsection (a) so as to enable the development and conduct combined space operations.

(2) The policy, organizational, or other barriers that currently prevent such information sharing for combined space operations.

(3) The actions being taken by the Department of Defense and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to remove the barriers to such information sharing, and the timeline for implementation of such actions.

(4) Any statutory changes required to remove such barriers.

(5) Any other matter, as determined by the Secretary of Defense or the Director of National Intelligence.
(c) Implementation Update.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall provide a briefing to the appropriate committees of Congress on the implementation of the actions described in subsection (b)(3).

(d) Appropriate Committees of Congress.—In this section, the term “appropriate committees of Congress” means—

(1) the congressional defense committees; and

(2) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

SEC. 1509. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS RELATING TO SELECTION OF PERMANENT LOCATION FOR HEADQUARTERS OF UNITED STATES SPACE COMMAND.

(a) Limitation on Availability of Funds for Military Construction Projects.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Air Force may be obligated or expended for a military construction project (as described in section 2801(b) of title 10, United States Code) for the construction or modification of facilities for temporary or permanent use by the United States
Space Command for headquarters operations until the report required under subsection (e) is submitted.

(b) Limitation on Availability of Funds for Travel Expenditures.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 to the Office of the Secretary of the Air Force for travel expenditures, not more than 50 percent may be obligated or expended until the report required under subsection (e) is submitted.

c) Report.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the justification for the selection of a permanent location for headquarters of the United States Space Command.

Subtitle B—Nuclear Forces

Sec. 1511. Prohibition on Reduction of the Intercontinental Ballistic Missiles of the United States.

(a) Prohibition.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:
(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance, sustainment, or replacement of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1512. SENTINEL INTERCONTINENTAL BALLISTIC MISSILE PROGRAM SILO ACTIVITY.

The LGM–35A Sentinel intercontinental ballistic missile program shall refurbish and make operable not fewer than 150 silos for intercontinental ballistic missiles at each of the following locations:

(1) Francis E. Warren Air Force Base, Laramie County, Wyoming.

(2) Malmstrom Air Force Base, Cascade County, Montana.

(3) Minot Air Force Base, Ward County, North Dakota.
SEC. 1513. MATTERS RELATING TO THE ACQUISITION AND DEPLOYMENT OF THE SENTINEL INTERCONTINENTAL BALLISTIC MISSILE WEAPON SYSTEM.

(a) Authority for Multi-year Procurement.—Subject to section 3501 of title 10, United States Code, the Secretary of the Air Force may enter into one or more multi-year contracts for the procurement of up to 659 Sentinel intercontinental ballistic missiles and for subsystems associated with such missiles.

(b) Authority for Advance Procurement.—The Secretary of the Air Force may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the Sentinel intercontinental ballistic missiles for which authorization to enter into a multi-year procurement contract is provided under subsection (a), and for subsystems associated with such missiles in economic order quantities when cost savings are achievable.

(c) Condition for Out-year Contract Payments.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2024 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.
(d) Mandatory Inclusion of Pre-priced Option in Certain Circumstances.—

(1) In general.—If the total base quantity of Sentinel intercontinental ballistic missiles to be procured through all contracts entered into under subsection (a) is less than 659, the Secretary of the Air Force shall ensure that one or more of the contracts includes a pre-priced option for the procurement of additional Sentinel intercontinental ballistic missiles such that the sum of such base quantity and the number of such missiles that may be procured through the exercise of such options is equal to 659 missiles.

(2) Definitions.—In this subsection:

(A) Base Quantity.—The term “base quantity” means the quantity of Sentinel intercontinental ballistic missiles to be procured under a contract entered into under subsection (a), excluding any quantity of such missiles that may be procured through the exercise of an option that may be part of such contract.

(B) Pre-priced Option.—The term “pre-priced option” means a contract option for a contract entered into under subsection (a) that, if exercised, would allow the Secretary of the
Air Force to procure a quantity of intercontinental ballistic missiles at a predetermined price specified in such contract.

(e) LIMITATION.—The Secretary of the Air Force may not modify a contract entered into under subsection (a) if the modification would increase the per unit price of the Sentinel intercontinental ballistic missiles by more than 10 percent above the target per unit price specified in the original contract for such missiles under subsection (a).

(f) MODIFICATIONS TO THE INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE.—Section 1638 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (b)(1), by inserting “, who shall report directly to the Commander of Air Force Global Strike Command” after “Modernization”; and

(2) by striking subsection (d)(1) and inserting the following:

“(1) WEAPON SYSTEM.—For purposes of nomenclature and acquisition life cycle activities ranging from development through sustainment and demilitarization, each wing level configuration of the
LGM-35A Sentinel intercontinental ballistic missile shall be a weapon system.”.

SEC. 1514. PLAN FOR DECREASING THE TIME TO UPLOAD ADDITIONAL WARHEADS TO THE INTER-CONTINENTAL BALLISTIC MISSILE FLEET.

(a) IN GENERAL.—The Secretary of the Air Force, in coordination with the Commander of the United States Strategic Command, shall develop a plan to decrease the amount of time required to upload additional warheads to the intercontinental ballistic missile force.

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

(1) An assessment of the storage capacity of weapons storage areas and any weapons generation facilities at covered bases, including the capacity of each covered base to store additional warheads.

(2) An assessment of the current nuclear warhead transportation capacity of the National Nuclear Security Administration and associated timelines for transporting additional nuclear warheads to covered bases.

(3) An evaluation of the capacity of the maintenance squadrons and security forces at covered bases and the associated timelines for adding warheads to the intercontinental ballistic missile force.
(4) An identification of actions that would address any identified limitations and increase the readiness of the intercontinental ballistic missile force to upload additional warheads.

(5) An evaluation of courses of actions to upload additional warheads to a portion of the intercontinental ballistic missile force.

(6) An assessment of the feasibility and advisability of initiating immediate deployment of W78 warheads to a single wing of the intercontinental ballistic missile force as a hedge against delay of the LGM-35A Sentinel intercontinental ballistic missile.

(7) A funding plan for carrying out actions identified in paragraphs (4) and (5).

(c) Submission to Congress.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force and the Commander of the United States Strategic Command shall submit to the congressional defense committees the plan required by subsection (a).

(d) Form.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) Briefing.—Not later than 30 days after the submission of the plan required by subsection (a), the Sec-
Secretary of the Air Force and the Commander of the United States Strategic Command shall brief the congressional defense committees on the actions being pursued to implement the plan.

(f) COVERED BASE DEFINED.—The term “covered base” means the following:

(1) Francis E. Warren Air Force Base, Laramie County, Wyoming.

(2) Malmstrom Air Force Base, Cascade County, Montana.

(3) Minot Air Force Base, Ward County, North Dakota.

SEC. 1515. TASKING AND OVERSIGHT AUTHORITY WITH RESPECT TO INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.

Section 1638 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by—

(1) redesignating subsection (e) as subsection (f); and

(2) inserting after subsection (d), the following new subsection (e):

“(e) DELEGATION OF AUTHORITY.—The Secretary of Defense shall—
“(1) not later than 120 days after the date of
the enactment of the National Defense Authoriza-
tion Act for Fiscal Year 2024, delegate to the Com-
mander of the Air Force Global Strike Command
such tasking and oversight authorities, as the Sec-
retary considers necessary, with respect to other
components of the Department of Defense partici-
pating in the Task Force; and
“(2) not later than 30 days after the date of
such delegation of authority, notify the congressional
defense committees of the delegation.”.

SEC. 1516. LONG-TERM SUSTAINMENT OF SENTINEL ICBM
GUIDANCE SYSTEM.

(a) IN GENERAL.—Prior to issuing a Milestone C de-
cision for the program to develop the LGM–35A Sentinel
intercontinental ballistic missile system (referred to in this
section as the “Sentinel”), the Under Secretary of Defense
for Acquisition and Sustainment shall certify to the con-
gressional defense committees that there is a long-term
capability in place to maintain and modernize the guid-
ance system of the Sentinel over the full life cycle of the
Sentinel.

(b) CERTIFICATION ELEMENTS.—The certification
described in subsection (a) shall include a list of capabili-
ties to maintain and advance—
(1) accelerometers;
(2) gyroscopes;
(3) guidance computers;
(4) specialized mechanical and retaining assemblies;
(5) test equipment; and
(6) such other components to ensure the guidance system will be maintained and modernized over the life of the Sentinel.

SEC. 1517. SENSE OF SENATE ON POLARIS SALES AGREEMENT.

(a) FINDINGS.—The Senate finds the following:

(1) On December 21, 1962, President John F. Kennedy and Prime Minister of the United Kingdom Harold Macmillan met in Nassau, Bahamas, and issued a joint statement (commonly referred to as the “Statement on Nuclear Defense Systems”), agreeing that the United States would make Polaris missiles available on a continuing basis to the United Kingdom for use in submarines.

(2) On April 6, 1963, Secretary of State Dean Rusk and Her Majesty’s Ambassador to the United States David Ormsby-Gore signed the Polaris Sales Agreement, reaffirming the Statement on Nuclear Defense Systems and agreeing that the United
States Government shall provide and the Government of the United Kingdom shall purchase from the United States Government Polaris missiles, equipment, and supporting services.

(3) The HMS Resolution launched the first Polaris missile of the United Kingdom on February 15, 1968, and, in 1969, commenced the first strategic deterrent patrol for the United Kingdom, initiating a continuous at-sea deterrent posture for the United Kingdom that remains in effect.

(4) The Polaris Sales Agreement was amended to include the Trident II (D5) strategic weapon system on October 19, 1982, in Washington, D.C., through an exchange of notes between Secretary of State Jonathan Howe and Her Majesty’s Ambassador to the United States Oliver Wright.

(5) Through an exchange of letters in 2008 between the Secretary of Defense the Honorable Robert Gates and the Secretary of State for Defence of the United Kingdom the Right Honorable Desmond Browne and under the auspices of the Polaris Sales Agreement, the United States Government and the Government of the United Kingdom agreed to continue cooperation to design a common missile com-
partment for the follow-on ballistic missile sub-
marines of each nation.

(b) SENSE OF THE SENATE.—It is the sense of the
Senate that the Senate—

(1) recognizes the 60th anniversary of the Pola-
rís Sales Agreement between the United States and
the United Kingdom of Great Britain and Northern
Ireland;

(2) congratulates the Royal Navy for stead-
fastly maintaining the Continuous At-Sea Deterrent;

(3) Recognizes the important contribution of
the Continuous At-Sea Deterrent to the North At-
lantic Treaty Organization;

(4) reaffirms that the United Kingdom is a val-
ued and special ally of the United States; and

(5) looks forward to continuing and strength-
ening the shared commitment of the United States
and the United Kingdom to sustain submarine-based
strategic deterrents well into the future.

SEC. 1518. MATTERS RELATING TO THE NUCLEAR-ARMED
SEA-LAUNCHED CRUISE MISSILE.

(a) PROGRAM TREATMENT.—Not later than 90 days
after the date of the enactment of this Act, the Under
Secretary of Defense for Acquisition and Sustainment
shall—
(1) establish a program for the development of a nuclear-armed, sea-launched cruise missile capability;

(2) designate such program as an acquisition category 1D program, to be managed consistent with the provisions of Department of Defense Instruction 5000.85 (relating to major capability acquisition);

(3) initiate a nuclear weapon project for the W80-4 ALT warhead, at phase 6.2 of the phase 6.X process (relating to feasibility study and down select), to align with the program described in paragraph (1);

(4) submit to the National Nuclear Security Administration a formal request, through the Nuclear Weapons Council, for participation in and support for the W80-4 ALT warhead project; and

(5) designate the Department of the Navy as the military department to lead the W80-4 ALT nuclear weapon program for the Department of Defense.

(b) INITIAL OPERATIONAL CAPABILITY.—The Secretary of Defense and the Administrator for Nuclear Security shall take such actions as necessary to ensure the program described in subsection (a) achieves initial operational capability, as defined jointly by the Secretary of
the Navy and the Commander of United States Strategic Command, by not later than fiscal year 2035.

(c) LIMITATION.—The Under Secretary of Defense for Acquisition and Sustainment may not approve a Full Rate Production Decision or authorize Full Scale Production (as those terms are defined in the memorandum of the Nuclear Weapons Council entitled “Procedural Guidelines for the Phase 6.X Process” and dated April 19, 2000), for the W80-4 ALT program.

(d) BRIEFING.—

(1) IN GENERAL.—Beginning not later than November 1, 2023, and on March 1 and September 1 of each year thereafter, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretary of the Navy, the Administrator for Nuclear Security, and the Commander of the United States Strategic Command, shall jointly brief the congressional defense committees on the progress of the program described in subsection (a).

(2) CONTENTS.—Each briefing required under paragraph (1) shall include—

(A) a description of significant achievements of the program described in subsection (a) completed during the period specified in
paragraph (3) and any planned objectives that were not achieved during such period;

(B) for the 180-day period following the briefing—

(i) planned objectives for the programs; and

(ii) anticipated spending plans for the programs;

(C) a description of any notable technical hurdles that could impede timely completion of the programs; and

(D) any other information the Under Secretary of Defense for Acquisition and Sustainment considers appropriate.

(3) PERIOD SPECIFIED.—The period specified in this paragraph is—

(A) in the case of the first briefing required by paragraph (1), the 180-day period preceding the briefing; and

(B) in the case of any subsequent such briefing, the period since the previous such briefing.

(4) TERMINATION.—The requirement to provide briefings under paragraph (1) shall terminate on the date that the program described in subsection
(a) achieve initial operational capability, as defined jointly by the Secretary of the Navy and the Commander of United States Strategic Command.


SEC. 1519. OPERATIONAL TIMELINE FOR STRATEGIC AUTOMATED COMMAND AND CONTROL SYSTEM.

(a) In General.—The Secretary of the Air Force shall develop a replacement of the Strategic Automated Command and Control System (SACCS) by not later than the date that the LGM–35A Sentinel intercontinental ballistic missile program reaches initial operational capability.

(b) Replacement Capabilities.—The replacement required by subsection (a) shall—

(1) replace the SACCS base processors;

(2) replace the SACCS processors at launch control centers;

(3) provide internet protocol connectivity for wing-wide command centers of the LGM–35A Sentinel intercontinental ballistic missile program;
(4) include such other capabilities necessary to address the evolving requirements of the LGM–35A Sentinel intercontinental ballistic missile program as the Secretary considers appropriate.

SEC. 1520. AMENDMENT TO ANNUAL REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEMS.

Section 492a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) INDEPENDENT ASSESSMENT BY UNITED STATES STRATEGIC COMMAND.—

“(1) IN GENERAL.—Not later than 150 days after the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, the Commander of United States Strategic Command shall complete an independent assessment of the sufficiency of the execution of acquisition, construction, and recapitalization programs of the Department of Defense and the National Nuclear Security Administration to modernize
the nuclear forces of the United States and meet
current and future deterrence requirements.

“(2) CONTENTS.—The assessment required
under paragraph (1) shall evaluate the ongoing exe-
cution of modernization programs associated with—

“(A) the nuclear weapons design, produc-
tion, and sustainment infrastructure;

“(B) the nuclear weapons stockpile;

“(C) the delivery systems for nuclear weap-
ons; and

“(D) the nuclear command, control, and
communications system.

“(3) ROUTING AND SUBMISSION.—

“(A) SUBMISSION TO NUCLEAR WEAPONS
COUNCIL.—Not later than 15 days after com-
pletion of the assessment required by paragraph
(1), the Commander of United States Strategic
Command shall—

“(i) submit the assessment to the
Chairman of the Nuclear Weapons Council;

and

“(ii) notify the congressional defense
committees that the assessment has been
submitted to the Chairman of the Nuclear
Weapons Council.
“(B) Submission to congress.—Not later than 15 days after the Chairman of the Nuclear Weapons Council receives the assessment required by paragraph (1), the Chairman shall transmit the assessment, without change, to the congressional defense committees.”.

SEC. 1521. TECHNICAL AMENDMENT TO ADDITIONAL REPORT MATTERS ON STRATEGIC DELIVERY SYSTEMS.

Section 495(b) of title 10, United States Code, is amended in the matter preceding paragraph (1)—

(1) by striking “before fiscal year 2020” and inserting “prior to the expiration of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly referred to as the ‘New START Treaty’)”; and

(2) by striking “1043 of the National Defense Authorization Act for Fiscal Year 2012” and inserting “492(a) of title 10, United States Code,.”.
SEC. 1522. AMENDMENT TO STUDY OF WEAPONS PROGRAMS THAT ALLOW ARMED FORCES TO ADRESS HARD AND DEEPLY BURIED TARGETS.

Section 1674 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (e)—

(A) in the heading, by striking “ON USE OF FUNDS”; and

(B) by striking “none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense or the Department of Energy for the deactivation, dismantlement, or retirement of the B83–1 nuclear gravity bomb may be obligated or expended” and inserting “neither the Secretary of Defense nor the Secretary of Energy may take any action”; and

(2) in subsection (f), by striking “on the use of funds under” and inserting “in”.

SEC. 1523. LIMITATION ON USE OF FUNDS UNTIL PROVISION OF DEPARTMENT OF DEFENSE INFORMATION TO GOVERNMENT ACCOUNTABILITY OFFICE.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for Operation and Maintenance,
Defense-wide, and available for the Office of the Under Secretary of Defense for Policy, not more than 50 percent may be obligated or expended until the date on which the Comptroller General of the United States notifies the congressional defense committees that the Secretary of Defense has fully complied with information requests by the Government Accountability Office with respect to the conduct of the study required by section 1652 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2100).

Subtitle C—Missile Defense

SEC. 1531. DESIGNATION OF OFFICIAL RESPONSIBLE FOR MISSILE DEFENSE OF GUAM.

Paragraph (1) of section 1660(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended to read as follows:

“(1) DESIGNATION.—The Secretary of Defense shall designate the Under Secretary of Defense for Acquisition and Sustainment as the senior official of the Department of Defense who shall be responsible for the missile defense of Guam during the period preceding the date specified in paragraph (5).”.
SEC. 1532. SELECTION OF A DIRECTOR OF THE MISSILE DEFENSE AGENCY.

Subsection (a) of section 205 of title 10, United States Code, is amended to read as follows:

“(a) Director of the Missile Defense Agency.—There is a Director of the Missile Defense Agency who shall be appointed for a period of six years by the President from among the general officers on active duty in the Army, Air Force, Marine Corps, or Space Force or from among the flag officers on active duty in the Navy.”.

SEC. 1533. MODIFICATION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.


(1) in paragraph (1), by striking “through 2025” and inserting “through 2030”;
(2) in paragraph (2), by striking “through 2026” and inserting “through 2031”; and

(3) in paragraph (3)—

(A) in the paragraph heading, by striking “EMERGING” and inserting “OTHER DEPARTMENT OF DEFENSE MISSILE DEFENSE ACQUISITION EFFORTS AND RELATED”;

(B) by striking “emerging issues and” and inserting “emerging issues, any Department of Defense missile defense acquisition efforts, and any other related issue and”; and

(C) by inserting “on a mutually agreed upon date” before the period at the end.

SEC. 1534. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2024 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $80,000,000 may be provided to the Government of Israel to procure components for the Iron Dome
short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement;
(ii) an assessment detailing any risks relating to the implementation of such agreement; and

(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component conformance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) Israeli Cooperative Missile Defense Program, David’s Sling Weapon System Co-production.—

(1) In general.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2024 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $40,000,000 may be provided to the Government of Israel to procure the David’s Sling Weapon System,
including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(B) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David’s Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement and the bilateral co-produc-
tion agreement for the David’s Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) **ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.**—

(1) **IN GENERAL.**—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2024 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $80,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) **CERTIFICATION.**—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agree-
ment for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the pro-
curement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David’s Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification
under subsection (c)(2) no later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) **Appropriate Congressional Committees Defined.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the

(3) Committee on Foreign Affairs of the House of Representatives.

**SEC. 1535. MODIFICATION OF SCOPE OF PROGRAM ACCOUNTABILITY MATRICES REQUIREMENTS FOR NEXT GENERATION INTERCEPTORS FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.**

Section 1668(f) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) by inserting “and the product development phase” after “technology development phase” each place is appears; and
(2) in paragraph (7), by striking "enter the product development phase" and inserting "enter the production phase".

SEC. 1536. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF COST ASSESSMENT AND PROGRAM EVALUATION UNTIL SUBMISSION OF MISSILE DEFENSE ROLES AND RESPONSIBILITIES REPORT.

Of the funds authorized to be appropriated for fiscal year 2024 by section 301 for operation and maintenance, Defense-wide, and available for the Office of Cost Assessment and Program Evaluation, not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the report required by section 1675(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

SEC. 1537. INTEGRATED AIR AND MISSILE DEFENSE ARCHITECTURE FOR THE INDO-PACIFIC REGION.

(a) STRATEGY REQUIRED.—The Commander of United States Indo-Pacific Command shall, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of United States Northern Command, the Director of the Missile Defense Agency, and the Director of the Joint Integrated Air and
Missile Defense Organization, develop a comprehensive strategy for developing, acquiring, and operationally establishing an integrated air and missile defense architecture for the United States Indo-Pacific Command area of responsibility.

(b) **Strategy Components.**—At a minimum, the strategy required by subsection (a) shall address the following:

1. The sensing, tracking, and intercepting capabilities required to address the full range of credible missile threats to—
   1. the Hawaiian Islands;
   2. the island of Guam and other islands in the greater Marianas region, as determined necessary by the Commander of United States Indo-Pacific Command;
   3. other United States territories within the area of responsibility of United States Indo-Pacific Command; and
   4. United States forces deployed within the territories of other nations within such area of responsibility.

2. The appropriate balance of missile detection, tracking, defense, and defeat capabilities within such area of responsibility.
(3) A command and control network for integrating missile detection, tracking, defense, and defeat capabilities across such area of responsibility.

(4) A time-phased scheduling construct for fielding the constituent systems that will comprise the integrated air and missile defense architecture for such area of responsibility.

(c) Annual Report.—

(1) In general.—Not later than March 15, 2024, and not less frequently than once each year thereafter, the Commander of United States Indo-Pacific Command shall, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of United States Northern Command, the Director of the Missile Defense Agency, and the Director of the Joint Integrated Air and Missile Defense Organization, submit to the congressional defense committees an annual report outlining the following with regard to the strategy developed pursuant to subsection (a):

(A) The activities conducted and progress made in developing and implementing the strategy over the previous calendar year.
(B) The planned activities for developing and implementing the strategy in the upcoming year.

(C) A description of likely risks and impediments to the successful implementation of the strategy.

(2) TERMINATION.—The requirements of paragraph (1) shall terminate on the earlier of the following:

(A) March 15, 2029.

(B) The date on which a comprehensive integrated air and missile defense architecture for the area of responsibility of United States Indo-Pacific Command has achieved initial operational capability, as determined jointly by the Commander of United States Indo-Pacific Command and the Director of the Missile Defense Agency.

(d) LIMITATIONS.—Of the equipment and components previously procured by the Department of Defense for the purposes of constructing the Homeland Defense Radar—Hawaii, none of such assets may be repurposed for other uses until the first annual report required by subsection (c)(1) is submitted to the congressional defense committees pursuant to such subsection.
SEC. 1538. MODIFICATION OF NATIONAL MISSILE DEFENSE POLICY.

Section 1681(a) of the National Defense Authorization Act for fiscal year 2017 (Public Law 114–328; 10 U.S.C. 4205 note) is amended to read as follows:

“(a) POLICY.—It is the policy of the United States to—

“(1) maintain and improve, with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense—

“(A) an effective, layered missile defense system capable of defending the territory of the United States against the developing and increasingly complex missile threat; and

“(B) an effective regional missile defense system capable of defending the allies, partners, and deployed forces of the United States against increasingly complex missile threats; and

“(2) rely on nuclear deterrence to address more sophisticated and larger quantity near-peer intercontinental missile threats to the homeland of the United States.”.
Subtitle D—Other Matters

SEC. 1541. ELECTRONIC WARFARE.

(a) In General.—Part I of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 25—ELECTRONIC WARFARE

§ 500. Electronic Warfare Executive Committee

“(a) In General.—There is within the Department of Defense an Electronic Warfare Executive Committee (in this section referred to as the ‘Executive Committee’).

“(b) Purposes.—The Executive Committee shall—

“(1) serve as the principal forum within the Department of Defense to inform, coordinate, and evaluate matters relating to electronic warfare;

“(2) provide senior oversight, coordination, and budget and capability harmonization with respect to such matters; and

“(3) act as an advisory body to the Secretary of Defense, the Deputy Secretary of Defense, and
the Management Action Group of the Deputy Secretary with respect to such matters.

“(c) RESPONSIBILITIES.—The Executive Committee shall—

“(1) advise key senior level decision-making bodies of the Department of Defense with respect to the development and implementation of acquisition investments relating to electronic warfare and electromagnetic spectrum operations of the Department, including relevant acquisition policies, projects, programs, modeling, and test and evaluation infrastructure;

“(2) provide a forum to enable synchronization and integration support with respect to the development and acquisition of electronic warfare capabilities—

“(A) by aligning the processes of the Department for requirements, research, development, acquisition, testing, and sustainment; and

“(B) carrying out other related duties; and

“(3) act as the senior level review forum for the portfolio of capability investments of the Department relating to electronic warfare and electromagnetic spectrum operations and other related matters.
“(d) COORDINATION WITH INTELLIGENCE COMMUNITY.—The Executive Committee, acting through the Under Secretary of Defense for Intelligence and Security, shall coordinate with the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to generate requirements, facilitate collaboration, establish interfaces, and align efforts of the Department of Defense with respect to electronic warfare capability and acquisition with efforts of the intelligence community relating to electronic warfare capability and acquisition in areas of dependency or mutual interest between the Department and the intelligence community.

“(e) MEETINGS.—

“(1) FREQUENCY.—The Executive Committee shall hold meetings not less frequently than quarterly and as necessary to address particular issues.

“(2) FORM.—The Executive Committee may hold meetings by videoconference.

“(f) MEMBERSHIP.—

“(1) IN GENERAL.—The Executive Committee shall be composed of the following principal members:

“(A) The Under Secretary of Defense for Acquisition and Sustainment.
“(B) The Vice Chairman of the Joint Chiefs of Staff.

“(C) The Under Secretary of Defense for Intelligence and Security.

“(D) The Under Secretary of Defense for Policy.

“(E) The Commander of the United States Strategic Command.

“(F) The Chief Information Officer of the Department of Defense.

“(G) Such other Federal officers or employees as the Secretary of Defense considers appropriate, consistent with other authorities of the Department of Defense and publications of the Joint Staff, including the Charter for the Electronic Warfare Executive Committee, dated March 17, 2015.

“(g) CO-CHAIRS OF EXECUTIVE COMMITTEE.—

“(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment and the Vice Chairman of the Joint Chiefs of Staff, or their designees, shall serve as co-chairs of the Executive Committee.

“(2) RESPONSIBILITIES OF CO-CHAIRS.—The co-chairs of the Executive Committee shall—
“(A) preside at all Executive Committee meetings or have their designees preside at such meetings;
“(B) provide administrative control of the Executive Committee;
“(C) jointly guide the activities and actions of the Executive Committee;
“(D) approve all agendas for and summaries of meetings of the Executive Committee;
“(E) charter tailored working groups to conduct mission area analysis, as required, under subsection (i); and
“(F) perform such other duties as may be necessary to ensure the good order and functioning of the Executive Committee.

“(h) ELECTRONIC WARFARE CAPABILITY TEAM.—
“(1) IN GENERAL.—There is within the Executive Committee an electronic warfare capability team, which shall—
“(A) serve as a flag officer level focus group and executive secretariat subordinate to the Executive Committee; and
“(B) in that capacity—
“(i) provide initial senior level coordination on key electronic warfare issues;
“(ii) prepare recommended courses of action to present to the Executive Committee; and

“(iii) perform other related duties.

“(2) CO-CHAIRS.—The electronic warfare capability team shall be co-chaired by one representative from the Office of the Under Secretary of Defense for Acquisition and Sustainment and one representative from the Force Structure, Resources, and Assessment Directorate of the Joint Staff (J–8).

“(3) STAFF.—The principal members of the Executive Committee shall designate representatives from their respective staffs to the electronic warfare capability team.

“(i) MISSION AREA WORKING GROUPS.—

“(1) IN GENERAL.—The Executive Committee shall establish mission area working groups on a temporary basis—

“(A) to address specific issues and mission areas relating to electronic warfare and electromagnetic spectrum operations;

“(B) to involve subject matter experts and components of the Department of Defense with expertise in electronic warfare and electromagnetic spectrum operations; and
“(C) to perform other related duties.

“(2) DISSOLUTION.—The Executive Committee shall dissolve a mission area working group established under paragraph (1) once the issue the working group was established to address is satisfactorily resolved.

“(j) ADMINISTRATION.—The Under Secretary of Defense for Acquisition and Sustainment shall administratively support the Executive Committee, including by designating not fewer than two officials of the Department of Defense to support the day-to-day operations of the Executive Committee.

“(k) REPORT TO CONGRESS.—Not later than February 28, 2024, and annually thereafter through 2030, the Executive Committee shall submit to the congressional defense committees a summary of activities of the Executive Committee during the preceding fiscal year.

“§ 500a. Guidance on the electronic warfare mission area and joint electromagnetic spectrum operations

“The Secretary of Defense shall—

“(1) establish processes and procedures to develop, integrate, and enhance the electronic warfare mission area and the conduct of joint electro-
magnetic spectrum operations in all domains across the Department of Defense; and

“(2) ensure that such processes and procedures provide for integrated defense-wide strategy, planning, and budgeting with respect to the conduct of such operations by the Department, including activities conducted to counter and deter such operations by malign actors.

“§ 500b. Annual report on electronic warfare strategy of the Department of Defense

“(a) IN GENERAL.—At the same time as the President submits to Congress the budget of the President under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretary of each of the military departments, shall submit to the congressional defense committees an annual report on the electronic warfare strategy of the Department of Defense.

“(b) CONTENTS OF REPORT.—Each report required under subsection (a) shall include each of the following:

“(1) A description and overview of—

“(A) the electronic warfare strategy of the Department of Defense;
“(B) how such strategy supports the National Defense Strategy; and

“(C) the organizational structure assigned to oversee the development of the Department’s electronic warfare strategy, requirements, capabilities, programs, and projects.

“(2) A list of all the electronic warfare acquisition programs and research and development projects of the Department of Defense and a description of how each program or project supports the Department’s electronic warfare strategy.

“(3) For each unclassified program or project on the list required by paragraph (2)—

“(A) the senior acquisition executive and organization responsible for oversight of the program or project;

“(B) whether or not validated requirements exist for the program or project and, if such requirements do exist, the date on which the requirements were validated and the organizational authority that validated such requirements;

“(C) the total amount of funding appropriated, obligated, and forecasted by fiscal year for the program or project, including the pro-
gram element or procurement line number from
which the program or project receives funding;
“(D) the development or procurement
schedule for the program or project;
“(E) an assessment of the cost, schedule,
and performance of the program or project as
it relates to the program baseline for the pro-
gram or project, as of the date of the submis-
sion of the report, and the original program
baseline for such program or project, if such
baselines are not the same;
“(F) the technology readiness level of each
critical technology that is part of the program
or project;
“(G) whether or not the program or
project is redundant or overlaps with the efforts
of another military department; and
“(H) the capability gap that the program
or project is being developed or procured to ful-
fill.
“(4) A classified annex that contains the items
described in subparagraphs (A) through (H) of
paragraph (3) for each classified program or project
on the list required by paragraph (2).
§ 500c. Annual assessment of budget with respect to electronic warfare capabilities

“At the same time as the President submits to Congress the budget of the President under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Secretary of Defense shall submit to the congressional defense committees an assessment by the Director of Cost Assessment and Program Evaluation as to whether sufficient funds are requested in such budget for anticipated activities in such fiscal year for each of the following:

“(1) The development of an electromagnetic battle management capability for joint electromagnetic spectrum operations.

“(2) The establishment and operation of associated joint electromagnetic spectrum operations cells.

§ 500d. Electromagnetic spectrum superiority implementation plan

“(a) IN GENERAL.—The Chief Information Officer of the Department of Defense shall be responsible for oversight of the electromagnetic superiority implementation plan.

“(b) REPORT REQUIRED.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Chief Information Officer shall submit to the congressional defense committees a report that in-
cludes the following with respect to the electromagnetic superiority implementation plan:

“(1) The implementation plan in effect as of the date of the report, noting any revisions from the preceding plan.

“(2) A statement of the elements of the implementation plan that have been achieved.

“(3) For each element that has been achieved, an assessment of whether the element is having its intended effect.

“(4) For any element that has not been achieved, an assessment of progress made in achieving the element, including a description of any obstacles that may hinder further progress.

“(5) For any element that has been removed from the implementation plan, a description of the reason for the removal of the element and an assessment of the impact of not pursuing achievement of the element.

“(6) Such additional matters as the Chief Information Officer considers appropriate.

“(c) ELECTROMAGNETIC SUPERIORITY IMPLEMENTATION PLAN DEFINED.—In this section, the term ‘electromagnetic superiority implementation plan’ means the Electromagnetic Superiority Implementation Plan signed
§ 500e. Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations

“(a) In General.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary of Defense shall establish an Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations (in this section referred to as the ‘operational lead’) at the United States Strategic Command, which shall report to the Commander of the United States Strategic Command.

“(b) Function.—The operational lead shall be responsible for synchronizing, assessing, and making recommendations to the Chairman of the Joint Chiefs of Staff with respect to the readiness of the combatant commands to conduct joint electromagnetic spectrum operations.

“(c) Briefings Required.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Chairman, acting through the...
operational lead, shall brief to the congressional defense committees on the following:

“(1) Progress made in achieving full operational capability to conduct joint electromagnetic spectrum operations and any impediments to achieving such capability.

“(2) The readiness of the combatant commands to conduct such operations.

“(3) Recommendations for overcoming any deficiencies in the readiness of the combatant commands to conduct such operations and any material gaps contributing to such deficiencies.

“(4) Such other matters as the Chairman considers important to ensuring that the combatant commands are capable of conducting such operations.

“§ 500f. Evaluations of abilities of armed forces and combatant commands to perform electromagnetic spectrum operations missions

“(a) Evaluations of Armed Forces.—

“(1) In general.—Not later than October 1, 2024, and annually thereafter through 2029, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of
Space Operations shall each carry out an evaluation of the ability of the armed force concerned to perform electromagnetic spectrum operations missions required by each of the following:


“(B) The Joint Staff-developed concept of operations for electromagnetic spectrum operations.

“(C) The operations and contingency plans of the combatant commands.

“(2) Certification Required.—Not later than December 31 of each year in which evaluations are required under paragraph (1), each official specified in that paragraph shall certify to the congressional defense committees that the evaluation required to be carried out by that official has occurred.

“(3) Elements.—Each evaluation under paragraph (1) shall include an assessment of the following:

“(A) Current programs of record, including—
“(i) the ability of weapon systems to perform missions in contested electromagnetic spectrum environments; and

“(ii) the ability of electronic warfare capabilities to disrupt adversary operations.

“(B) Future programs of record, including—

“(i) the need for distributed or network-centric electronic warfare and signals intelligence capabilities; and

“(ii) the need for automated and machine learning- or artificial intelligence-assisted electronic warfare capabilities.

“(C) Order of battle.

“(D) Individual and unit training.

“(E) Tactics, techniques, and procedures, including—

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

“(ii) integration of non-kinetic and kinetic fires.

“(F) Other matters relevant to evaluating the ability of the armed force concerned to per-
form electromagnetic spectrum operations missions described in paragraph (1).

“(b) Evaluations of Combatant Commands.—

“(1) In general.—Not later than October 1, 2024, and annually thereafter through 2029, the Chairman of the Joint Chiefs of Staff, acting through the Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations established under section 500e (in this section referred to as the ‘operational lead’), shall carry out an evaluation of the plans and posture of the combatant commands to execute the electromagnetic spectrum operations envisioned in each of the following:


“(B) The Joint Staff-developed concept of operations for electromagnetic spectrum operations.

“(2) Elements.—Each evaluation under paragraph (1) shall include an assessment, as relevant, of the following:

“(A) Operation and contingency plans.
“(B) The manning, organizational alignment, and capability of joint electromagnetic spectrum operations cells.

“(C) Mission rehearsal and exercises.

“(D) Force positioning, posture, and readiness.

“(3) BRIEFING REQUIRED.—Not later than December 31 of each year in which an evaluation is required under paragraph (A), the Chairman of the Joint Chiefs of Staff, acting through the operational lead, shall brief the congressional defense committees on the results of the evaluation.”.

(b) CLERICAL AMENDMENT.—The tables of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 24 the following new item:

“25. Electronic Warfare .......................................................... 500”.

(c) CONFORMING REPEAL.—Section 1053 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 113 note) is repealed.
SEC. 1542. STUDY ON THE FUTURE OF THE INTEGRATED TACTICAL WARNING ATTACK ASSESSMENT SYSTEM.

(a) IN GENERAL.—The Chairman of the Joint Chiefs of Staff shall enter into an agreement with a federally funded research and development center—

(1) to conduct a study on the future of the Integrated Tactical Warning Attack Assessment System (ITW/AA); and

(2) to submit to the Chairman a report on the findings of the center with respect to the study conducted under paragraph (1).

(b) ELEMENTS.—The study conducted pursuant to an agreement under subsection (a) shall cover the following:

(1) Future air and missile threats to the United States.

(2) The integration of multi-domain sensor data and their ground systems with the existing architecture of the Integrated Tactical Warning Attack Assessment System.

(3) The effect of the integration described in paragraph (2) on the data reliability standards of the Integrated Tactical Warning Attack Assessment System.
(4) Future data visualization, conferencing, and
decisionmaking capabilities of such system.

(5) Such other matters as the Chairman con-
siders relevant to the study.

(c) REPORT.—Not later than 270 days after the date
of the enactment of this Act, the Chairman shall submit
to the congressional defense committees—

(1) the report submitted to the Chairman under
subsection (a)(2); and

(2) the assessment of the Chairman with re-
spect to the findings in such report and the rec-
ommendations of the Chairman with respect to mod-
ernizing the Integrated Tactical Warning Attack As-
sessment System.

SEC. 1543. COMPREHENSIVE REVIEW OF ELECTRONIC WAR-
FARE TEST RANGES AND FUTURE CAPABILI-
TIES.

(a) IN GENERAL.—The Under Secretary of Defense
for Research and Engineering, in consultation with the
Chairman of the Joint Chiefs of Staff, shall conduct a
comprehensive review of any deficiencies in the capacity
of the electronic warfare test ranges and future electronic
warfare capabilities of the Department of Defense relating
to current and future global threats, research and develop-
ment efforts, modeling, and electromagnetic and physical encroachment of the test ranges.

(b) ELEMENTS.—The review required by subsection (a) shall consider the following:

(1) Each electronic warfare test range, its size, any distinguishing features, and its electronic warfare capabilities.

(2) The electronic warfare capabilities that are best practiced at which range and any encroachment issues between ranges.

(3) Future electronic warfare capabilities and planned acquisitions.

(4) Any modeling the Test Resource Management Center has done on incorporating future or planned electronic warfare capabilities into the current test ranges.

(5) Any other matter the Under Secretary considers necessary.

(c) BRIEFING REQUIRED.—Not later than March 31, 2024, the Under Secretary shall provide the congressional defense committees with a briefing on the findings of the review required by subsection (a) that includes—

(1) an assessment of any deficiency in the electronic warfare test ranges and future electronic war-
fare capabilities of the Department of Defense identified in the review; and

(2) a plan to address any such deficiency in a timely manner.

SEC. 1544. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 130i(i) of title 10, United States Code, is amended by striking “2023” both places it appears and inserting “2026”.

SEC. 1545. ADDRESSING SERIOUS DEFICIENCIES IN ELECTRONIC PROTECTION OF SYSTEMS THAT OPERATE IN THE RADIO FREQUENCY SPECTRUM.

(a) IN GENERAL.—The Secretary of Defense shall take such actions as the Secretary considers necessary and practicable—

(1) to establish requirements for and assign sufficient priority to ensuring electronic protection of sensor, navigation, and communications systems and subsystems against jamming, spoofing, and unintended interference from military systems; and

(2) to provide management oversight and supervision of the military departments to ensure electronic protection of military systems that emit and
receive in radio frequencies against modern threats
and interference from military systems operating in
the same or adjacent radio frequency of Federal
spectrum.

(b) Specific Required Actions.—The Secretary
shall require the military departments and combat support
agencies to——

(1) develop and approve requirements, through
the Joint Requirements Oversight Council as appro-
priate, within 270 days of the date of the enactment
of this Act, for every radar, signals intelligence,
navigation, and communications system and sub-
system subject to the Global Force Management
process to be able to withstand threat-realistic levels
of jamming, spoofing, and unintended interference,
which includes self-generated interference;

(2) test every system and subsystem described
in paragraph (1) at a test range that permits threat-
realistic electronic warfare attacks against the sys-
tem or subsystem by a red team or opposition force
at least once every 4 years, with the first set of
highest priority systems to be initially tested no later
than fiscal year 2025;

(3) retrofit every system and subsystem de-
scribed in paragraph (1) that fails to meet electronic
protection requirements during testing with electronic protection measures that can withstand threat-realistic jamming, spoofing, and unintended interference within 3 years from the date of the testing, and to retest such systems and subsystems within 4 years of the initial failed test;

(4) survey, identify, and test available technology that can be practically and affordably retrofitted on the systems described in paragraph (1) and which provides robust protection against threat-realistic jamming, spoofing, and unintended interference; and

(5) design and build electronic protection into ongoing and future development programs to withstand expected jamming and spoofing threats and unintended interference.

(c) WAIVER.—The Secretary may establish a process for issuing waivers on a case-by-case basis for the testing requirement established in paragraph (2) of subsection (b) and for the retrofit requirement established in paragraph (3) of such subsection.

(d) ANNUAL REPORTS.—Each fiscal year, coinciding with the submission of the President’s budget request to Congress pursuant to section 1105(a) of title 31, United States Code, through fiscal year 2030, the Director of
Operational Test and Evaluation shall submit to the Electronic Warfare Executive Committee, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a comprehensive annual report aggregating reporting from the military departments and combat support agencies that describes—

(1) the implementation of the requirements of this section;

(2) the systems subject to testing in the previous year and the results of such tests, including a description of the requirements for electronic protection established for the tested systems; and

(3) each waiver issued in the previous year with respect to such requirements, together with a detailed rationale for the waiver and a plan for addressing the basis for the waiver request.

SEC. 1546. FUNDING LIMITATION ON CERTAIN UNREPORTED PROGRAMS.

(a) LIMITATION ON AVAILABILITY OF FUNDS.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 may be obligated or expended, directly or indirectly, in part or in whole, for, on, in relation to, or in support of activities involving unidentified anomalous phenomena protected under any form of special access or
restricted access limitations that have not been formally,
officially, explicitly, and specifically described, explained,
and justified to the appropriate committees of Congress,
congressional leadership, and the Director, including for
any activities relating to the following:

(1) Recruiting, employing, training, equipping,
and operations of, and providing security for, Gov-
ernment or contractor personnel with a primary, sec-
ondary, or contingency mission of capturing, recov-
ering, and securing unidentified anomalous phe-
nomena craft or pieces and components of such
craft.

(2) Analyzing such craft or pieces or compo-
nents thereof, including for the purpose of deter-
mining properties, material composition, method of
manufacture, origin, characteristics, usage and ap-
lication, performance, operational modalities, or re-
verse engineering of such craft or component tech-
nology.

(3) Managing and providing security for pro-
tecting activities and information relating to uniden-
tified anomalous phenomena from disclosure or com-
promise.

(4) Actions relating to reverse engineering or
replicating unidentified anomalous phenomena tech-
nology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena.

(5) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials.

(6) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, and electric ion thrust.

(b) Notification and Reporting.—

(1) In general.—Any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access shall—

(A) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(B) not later than 180 days after the date of the enactment of this Act, make available to
the Director for assessment, analysis, and inspection—

(i) all such material and information;

and

(ii) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena materiel.

(2) PROTECTIONS.—The provision of notice and the making available of material and information under paragraph (1) shall be treated as an authorized disclosure under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b).

(c) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to material or information described in subsection (a) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (b).
(d) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under subparagraph (A) of subsection (b)(1) or information or material under paragraph (B) of such subsection, the Director shall provide a written notification of such receipt to the appropriate committees of Congress and congressional leadership.

(e) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) The term “congressional leadership” means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and
(D) the minority leader of the House of Representatives.

(3) The term “Director” means the Director of the All-domain Anomaly Resolution Office.

(4) The term “unidentified anomalous phenomena” has the meaning given such term in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

SEC. 1547. REVISION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

(a) Extension of Authority.—Section 431(a) of title 10, United States Code, is amended by striking “December 31, 2023” and inserting “December 31, 2025”.

(b) Interagency Coordination and Support.—Paragraph (1) of section 431(b) of such title is amended to read as follows:

“(1) be pre-coordinated with the Director of the Central Intelligence Agency using procedures mutually agreed upon by the Secretary of Defense and
the Director, and, where appropriate, be supported
by the Director; and”.

TITLE XVI—CYBERSPACE-
RELATED MATTERS
Subtitle A—Matters Relating to
Cyber Operations and Cyber
Forces

SEC. 1601. MEASURES TO ENHANCE THE READINESS AND
EFFECTIVENESS OF THE CYBER MISSION
FORCE.

(a) Personnel Requirements and Training for
Critical Work Roles.—The Secretary of Defense
shall—

(1) develop a plan to require—

(A) a term of enlistment that is—

(i) common across the military de-
partments for critical work roles of the
Cyber Mission Force;

(ii) appropriate given the value of the
training required for such work roles; and

(iii) sufficient and extensive enough to
meet the readiness requirements estab-
lished by the Commander of United States
Cyber Command;
(B) tour lengths for personnel in the Cyber Mission Force that are—

(i) common across the military departments; and

(ii) sufficient and extensive enough to meet the readiness requirements established by the Commander of United States Cyber Command;

(C) the military departments to present Cyber Mission Force personnel to the Commander of United States Cyber Command who are fully trained to the standards required by the work roles established by the Commander, including the critical work roles of the Cyber Mission Force, prior to their attachment or assignment to a unit of United States Cyber Command;

(D) obligated service for members who receive the training contemplated in paragraph (C) which is commensurate with the significant financial and time investments made by the military service for the training received; and

(E) facilitation of consecutive assignments at the same unit while not inhibiting the ad-
vancement or promotion potential of any member of the Armed Forces.

(2) direct the Secretaries of the military departments to implement the plan developed under paragraph (1); and

(3) establish curriculum and capacity within one or more military departments to train sufficient numbers of personnel from all of the military departments who can effectively perform the critical Cyber Mission Force work roles to achieve the readiness requirements established by the Commander of United States Cyber Command.

(b) PILOT PROGRAM ON ACQUIRING CONTRACT SERVICES FOR CRITICAL WORK ROLES.—

(1) PILOT PROGRAM REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commander of United States Cyber Command shall commence a pilot program to assess the feasibility and advisability of acquiring the services of skilled personnel in the critical work roles of the Cyber Mission Force by contracting with one or more persons to enhance the readiness and effectiveness of the Cyber Mission Force.

(2) PILOT PROGRAM DURATION.—The Commander shall carry out the pilot program required
by subsection paragraph (1) during the three-year period beginning on the date of the commencement of the pilot program and may, after such period—

(A) continue carrying out such pilot program after such period for such duration as the Commander considers appropriate; or

(B) transition such pilot program to a permanent program.

(e) Plan on Hiring, Training, and Retaining Civilians to Serve in Critical Work Roles.—Not later than 120 days after the date of the enactment of this Act, the Commander shall—

(1) develop a plan to hire, train, and retain civilians to serve in the critical work roles of the Cyber Mission Force and other positions of the Cyber Mission Force to enhance the readiness and effectiveness of the Cyber Mission Force; and

(2) provide the congressional defense committees a briefing on the plan developed under paragraph (1).

(d) Definition of Critical Work Roles of the Cyber Mission Force.—The term “critical work roles of the Cyber Mission Force” means work roles of the Cyber Mission Force relating to on-network operations, tool development, and exploitation analysis.
SEC. 1602. CYBER INTELLIGENCE CENTER.

(a) Establishment of Capability Required.—

The Secretary of Defense shall establish a dedicated cyber intelligence capability to support the requirements of United States Cyber Command, the other combatant commands, the military departments, defense agencies, the Joint Staff, and the Office of the Secretary of Defense for foundational, scientific and technical, and all-source intelligence on cyber technology development, capabilities, concepts of operation, operations, and plans and intentions of cyber threat actors.

(b) Establishment of Center Authorized.—

(1) Authorization.—Subject to paragraph (2), the Secretary may establish an all-source analysis center under the administration of the Defense Intelligence Agency to provide foundational intelligence for the capability established under subsection (a).

(2) Limitation.—Information technology services for a center established under paragraph (1) may not be provided by the National Security Agency.

(c) Resources.—

(1) In General.—The Secretary shall direct and provide resources to the Commander of United States Cyber Command within the Military Intel-
ligence Program to fund collection and analysis by
the National Security Agency to meet the specific re-
quirements established by the Commander for sig-
nals intelligence support.

(2) TRANSFER OF ACTIVITIES.—The Secretary
may transfer the activities required under paragraph
(1) to the National Intelligence Program if the Di-
rector of National Intelligence concurs and the
transfer is specifically authorized in an intelligence
authorization Act.

(d) BRIEFING.—Not later than 180 days after the
date of the enactment of this Act, the Commander shall—

(1) develop an estimate of the signals intel-
ligence collection and analysis required of the Na-
tional Security Agency and the cost of such collec-
tion and analysis; and

(2) provide the congressional defense commit-
tees, the Select Committee on Intelligence of the
Senate, and the Permanent Select Committee on In-
telligence of the House of Representatives a briefing
on the estimate developed under paragraph (1).
SEC. 1603. PERFORMANCE METRICS FOR PILOT PROGRAM
FOR SHARING CYBER CAPABILITIES AND RELATED INFORMATION WITH FOREIGN OPERATIONAL PARTNERS.

(a) In General.—The section 398 of title 10, United States Code (relating to pilot program for sharing cyber capabilities and related information with foreign operational partners), as added by section 1551(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) PERFORMANCE METRICS.—(1) The Secretary of Defense shall maintain performance metrics to track the results of sharing cyber capabilities and related information with foreign operational partners under a pilot program authorized by subsection (a).

“(2) The performance metrics under paragraph (1) shall include the following:

“(A) Who the cyber capability was used against.

“(B) The effect of the cyber capability, including whether and how the transfer of the cyber capability improved the operational cyber posture of the
United States and achieved operational objectives of
the United States, or had no effect.

“(C) Such other outcome-based or appropriate
performance metrics as the Secretary considers ap-
propriate for evaluating the effectiveness of a pilot
program carried out under subsection (a).”.

(b) TECHNICAL CORRECTION.—Chapter 19 of such
title is amended—

(1) in the table of sections for such chapter by
striking the item relating to such section 398 and
inserting the following:

“398a. Pilot program for sharing cyber capabilities and related information with
foreign operational partners.”; and

(2) by redesignating such section 398 as section
398a.

SEC. 1604. NEXT GENERATION CYBER RED TEAMS.

(a) DEVELOPMENT AND SUBMISSION OF PLANS.—
Not later than 180 days after the date of the enactment
of this Act, the Under Secretary of Defense for Policy
shall direct the appropriate Assistant Secretary of Defense
in the Office of the Under Secretary of Defense for Policy,
in consultation with the Principal Cyber Advisors of the
military departments, to oversee the development and sub-
mission of a plan described in subsection (b) to the Direc-
tor of Operational Test and Evaluation (OT&E) and the
Director of the National Security Agency (NSA) for assessment under subsection (c).

(b) Plans Described.—The plan described in this subsection is a plan—

(1) to modernize cyber red teams (‘‘CRTs’’) with a focus on utilizing cyber threat intelligence and threat modeling to ensure the ability to emulate advanced nation-state threats, automation, artificial intelligence or machine learning capabilities, and data collection and correlation;

(2) to establish joint service standards and metrics to ensure cyber red teams are adequately trained, staffed, and equipped to emulate advanced nation-state threats; and

(3) to expand partnerships between the Department of Defense, particularly existing cyber red teams, and academia to expand the cyber talent workforce.

c) Assessment.—The Director of Operational Test and Evaluation shall, in coordination with the Director of the National Security Agency, review the plan submitted pursuant to subsection (a) and in doing so shall conduct an assessment of the plan with consideration of the following:
(1) Opportunities for cyber red team operations to expand across the competition continuum, including during the cooperation and competition phases, strongly emphasizing pre-conflict preparation of the battlespace to better match adversary positioning and cyber activities, including operational security assessments to strengthen the ability of the Department to gain and maintain a tactical advantage.

(2) The extent to which critical and emerging technologies and concepts such as artificial intelligence and machine learning enabled analysis and process automation can reduce the amount of person hours operators spend on maintenance and reporting to maximize research and training time.

(3) Identification of training requirements, and changes to training, sustainment practices, or concepts of operation or employment that may be needed to ensure the effectiveness, suitability, and sustainability of the next generation of cyber red teams.

(4) The extent to which additional resources or partnerships may be needed to remediate personnel shortfalls in cyber red teams, including funding for internship programs, hiring, and contracting.

(d) IMPLEMENTATION.—Not later than one year after the date of enactment of this Act, the Secretary of
Defense shall issue such policies and guidance and prescribe such regulations as the Secretary determines necessary to carry out the plan required by subsection (a).

(e) **Annual Reports.**—Not later than January 31, 2025, and not less frequently than annually thereafter until January 31, 2031, the Director of Operational Test and Evaluation shall include in the annual report required by section 139(h) of title 10, United States Code, the following:

1. The findings of the Director with respect to the assessment carried out pursuant to subsection (c).

2. The results of test and evaluation events, including any resource and capability shortfalls limiting the ability of cyber red teams to meet operational requirements.

3. The extent to which operations of cyber red teams have expanded across the competition continuum, including during cooperation and competition phases, to match adversary positioning and cyber activities.

4. A summary of identified categories of common gaps and shortfalls across military department and Defense Agency cyber red teams.
(5) Any identified lessons learned that would affect training or operational employment decisions relating to cyber red teams.

SEC. 1605. MANAGEMENT OF DATA ASSETS BY CHIEF DIGITAL OFFICER.

(a) In general.—The Secretary of Defense shall, acting through the Chief Data and Artificial Intelligence Officer of the Department of Defense (CDAO), provide data assets and data analytics capabilities necessary for understanding the global cyber-social terrain to support the planning and execution of defensive and offensive information operations, defensive and offensive cyber operations, indications and warning of adversary military activities and operations, and calibration of actions and reactions in great power competition.

(b) Responsibilities of Chief Data and Artificial Intelligence Officer.—The Chief Data and Artificial Intelligence Officer shall—

(1) develop a baseline of data assets maintained by all defense intelligence agencies, military departments, combatant commands, and any other components of the Department; and

(2) develop and oversee the implementation of plans to enhance data assets that are essential to support the purposes set forth in subsection (a).
(c) Other Matters.—The Chief Data and Artificial Intelligence Officer shall—

1. designate or establish one or more executive agents for enhancing data assets and the acquisition of data analytic tools for users;
2. ensure that data assets in the possession of a component of the Department are accessible for the purposes described in subsection (a); and
3. ensure that advanced analytics, including artificial intelligence technology, are developed and applied to the analysis of data assets in support of the purposes described in subsection (a).

(d) Semiannual Briefings.—Not later than 120 days after the date of the enactment of this Act and not less frequently semianually thereafter, the Chief Data and Artificial Intelligence Officer shall provide the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the implementation of this section.

(e) Prior Approval Reprogramming.—After the date of the enactment of this Act, the Secretary may transfer funds to begin implementation of this section, subject to established limitations and approval procedures.
SEC. 1606. AUTHORITY FOR COUNTERING ILLEGAL TRAFFICKING BY MEXICAN TRANSNATIONAL CRIMINAL ORGANIZATIONS IN CYBERSPACE.

(a) Authority.—

(1) In general.—In accordance with sections 124 and 394 of title 10, United States Code, the Secretary of Defense may, in coordination with other relevant Federal departments and agencies and in consultation with the Government of Mexico as appropriate, conduct detection, monitoring, and other operations in cyberspace to counter Mexican transnational criminal organizations that are engaged in any of the following activities that cross the southern border of the United States:

   (A) Smuggling of illegal drugs, controlled substances, or precursors thereof.
   (B) Human trafficking.
   (C) Weapons trafficking.
   (D) Other illegal activities.

(2) Certain entities.—The authority provided by paragraph (1) may be used to counter Mexican transnational criminal organizations, including entities cited in the most recent National Drug Threat Assessment published by the United States Drug Enforcement Administration, that are engaged in the activities described in (1).
(b) Cyber Strategy for Countering Illegal Trafficking by Transnational Criminal Organizations Affecting the Security of United States Southern Border.—

(1) Strategy Required.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall, in consultation with the National Cyber Director and the heads of such other Federal departments and agencies as the Secretary considers appropriate, submit to the appropriate congressional committees a strategy for conducting operations in cyberspace under subsection (a).

(2) Elements.—The strategy submitted pursuant to paragraph (1) shall include the following:

(A) A description of the cyberspace presence and activities, including any information operations, of the entities described under subsection (a)(2) pose to the national security of the United States.

(B) A description of any previous actions taken by the Department of Defense to conduct operations in cyberspace to counter illegal activities by transnational criminal organizations, and a description of those actions.
(C) An assessment of the financial, technological, and personnel resources that the Secretary can deploy to exercise the authority provided in subsection (a) to counter illegal trafficking by transnational criminal organizations.

(D) Recommendations, if any, for additional authorities as may be required to enhance the exercise of the authority provided in subsection (a).

(E) A description of the extent to which the Secretary has worked, or intends to work, with the Government of Mexico, interagency partners, and the private sector to enable operations in cyberspace against illegal trafficking by transnational criminal organizations.

(F) A description of the security cooperation programs in effect on the day before the date of the enactment of this Act that would enable the Secretary to cooperate with Mexican defense partners against illegal trafficking by transnational criminal organizations in cyberspace.

(G) An assessment of the potential risks associated with cooperating with Mexican counterparts against transnational criminal organi-
zations in cyberspace and ways that those risks can be mitigated, including in cooperation with Mexican partners.

(H) A description of any cooperation agreements or initiatives in effect on the day before the date of the enactment of this Act with interagency partners and the government of Mexico to counter transnational criminal organizations in cyberspace.

(c) QUARTERLY MONITORING BRIEFING.—The Secretary shall, on a quarterly basis in conjunction with the briefings required by section 484 of title 10, United States Code, provide to the appropriate congressional committees a briefing setting forth, for the preceding calendar quarter, the following:

(1) Each country in which an operation was conducted under subsection (a).

(2) The purpose and nature of each operation set forth pursuant to paragraph (1).

(3) The start date and end date or expected duration of each operation set forth pursuant to paragraph (1).

(4) The elements of the Department of Defense down to O–6 command level who conducted or are
conducting the operations set forth pursuant to paragraph (1).

(d) Rule of Construction.—Nothing in this section shall be construed to supersede any standing prohibitions on collection of information on United States persons.

SEC. 1607. PILOT PROGRAM FOR CYBERSECURITY COLLABORATION CENTER INCLUSION OF SEMICONDUCTOR MANUFACTURERS.

(a) Establishment of Pilot Program.—The Secretary of Defense shall, in coordination with the Director of the National Security Agency, establish a pilot program to assess the feasibility and advisability of improving the semiconductor manufacturing supply chain by enabling the National Security Agency Cybersecurity Collaboration Center to collaborate with semiconductor manufacturers in the United States.

(b) Program Scope.—The pilot program established pursuant to subsection (a) shall focus on improving the cybersecurity of the supply chain for semiconductor design and manufacturing, including the following:

(1) The cybersecurity of design and manufacturing processes, as well as assembly, packaging, and testing.
(2) Protecting against cyber-driven intellectual property theft.

(3) Reducing the risk of supply chain disruptions caused by cyberattacks.

(c) ELIGIBILITY.—Persons who directly support the manufacture, packaging, and assembly of semiconductors within the United States and who provide semiconductor components for the Department of Defense, national security systems (as defined in section 3552(b) of title 44, United States Code), or the defense industrial base are eligible to participate in the pilot program.

(d) BRIEFINGS.—

(1) INITIAL.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide the appropriate committees of Congress a briefing on the pilot program required under subsection (a).

(B) ELEMENTS.—The briefing required under subparagraph (A) shall include the following:

(i) The plans of the Secretary for the implementation of the pilot program.

(ii) Identification of key priorities for the pilot program.
(iii) Identification of any potential challenges in standing up the pilot program or impediments to semiconductor manufacturer or semiconductor component supplier participation in the pilot program.

(2) **Annual.**—

(A) **In General.**—Not later than one year after the date of the enactment of this Act and annually thereafter for the duration of the pilot program required by subsection (a), the Secretary shall provide the appropriate committees of Congress a briefing on the progress of the pilot program.

(B) **Elements.**—Each briefing required under subparagraph (A) shall include the following:

(i) Recommendations for addressing relevant policy, budgetary, security, and legislative gaps to increase the effectiveness of the pilot program. For the first annual briefing, this shall include an assessment of the resources necessary for the pilot to be successful.

(ii) Recommendations for increasing semiconductor manufacturer or semicon-
ductor component supplier participation in
the pilot program.

(iii) A description of the challenges
encountered in carrying out the pilot pro-
gram, including any concerns expressed by
semiconductor manufacturers or semicon-
ductor component supplier.

(iv) The findings of the Secretary with
respect to the feasibility and advisability of
extending or expanding the pilot program.

(v) Such other matters as the Sec-
retary considers appropriate.

(e) TERMINATION.—The pilot program required by
subsection (a) shall terminate on the date that is four
years after the date of the enactment of this Act.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES De-
FINED.—In this section, the term “appropriate congres-
sional committees” means—

(1) the Committee on Armed Services and the
Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the
Permanent Select Committee on Intelligence of the
House of Representatives.
SEC. 1608. INDEPENDENT EVALUATION REGARDING POTENTIAL ESTABLISHMENT OF UNITED STATES CYBER FORCE AND FURTHER EVOLUTION OF CURRENT MODEL FOR MANAGEMENT AND EXECUTION OF CYBER MISSION.

(a) Agreement.—

(1) In general.—The Secretary of Defense shall seek to enter into an agreement with the National Academy of Public Administration (in this section referred to as the “National Academy”) for the National Academy to conduct the evaluation under subsection (b) and submit the report under subsection (e).

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

(b) Evaluation.—

(1) In general.—Under an agreement between the Secretary and the National Academy entered into pursuant to subsection (a), the National Academy shall conduct an evaluation regarding the advisability of—

(A) establishing a separate Armed Force dedicated to operations in the cyber domain (in
this section referred to as the “United States Cyber Force”); or

(B) refining and further evolving the current organization approach, which is based on the Special Operations Command model for United States Cyber Command.

(2) SCOPE.—The evaluation conducted pursuant to paragraph (1) shall include consideration of—

(A) the potential establishment of a United States Cyber Force as a separate Armed Force commensurate with the Army, Navy, Marine Corps, Air Force, and Space Force, for the purpose of organizing, training, and equipping the personnel required to enable and conduct operations in the cyber domain through positions aligned to the United States Cyber Command and the other unified combatant commands;

(B) a United States Cyber Force able to devise and implement recruiting and retention policies and standards specific to the range of skills and career fields required to enable and conduct cyberspace operations, as determined by the United States Cyber Command and the other unified combatant commands;
(C) the performance and efficacy of the Armed Forces to date, and potential improvements thereto from extending the model described in paragraph (1)(B), in satisfying the requirements of the combatant commands to enable and conduct operations in the cyber domain through positions aligned to the United States Cyber Command and other unified combatant commands, and any expected differences in that performance based on the creation of a United States Cyber Force as compared to evolutionary modifications to the current model;

(D) the performance and efficacy of the Armed Forces to date, and potential improvements thereto from extending the model described in paragraph (1)(B), in devising and implementing recruitment and retention policies specific to the range of skills and career fields required to enable and conduct cyberspace operations, as determined by the United States Cyber Command and the other unified combatant commands, and any expected differences in that performance based on the creation of a United States Cyber Force as compared to evolutionary modifications to the current model;
(E) potential and recommended delineations of responsibility between the other Armed Forces and a United States Cyber Force and an enhanced model described in paragraph (1)(B) with respect to network management, resourcing, and operations;

(F) potential and recommended delineations of responsibility between the other Armed Forces and a United States Cyber Force and an enhancement of the model described in paragraph (1)(B) for United States Cyber Command with respect to organizing, training, and equipping members of the Cyberspace Operations Forces, not serving in positions aligned under the Cyber Mission Force, to the extent necessary to support network management and operations;

(G) views and perspectives of members of the Armed Forces, in each grade, serving in the Cyber Mission Force with experience in operational work roles (as defined by the Commander of the United States Cyber Command), and military and civilian leaders across the Department regarding the establishment of a Cyber Force and a further evolution of the
model described in paragraph (1)(B) for United States Cyber Command;

(H) the extent to which each of the other Armed Forces is formed towards, and organized around, operations within a given warfighting domain, and the potential applicability of such formation and organizing constructs to a United States Cyber Force with respect to the cyber domain;

(I) findings from previous relevant assessments, analyses, and studies conducted by the Secretary, the Comptroller General of the United States, or other entities determined relevant by the National Academy on the establishment of a United States Cyber Force and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command;

(J) the organizing constructs for effective and operationally mature cyber forces of foreign countries and the relevance of such constructs to the potential creation of a United States Cyber Force and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command;
(K) lessons learned from the creation of the United States Space Force that should be applied to the creation of a United States Cyber Force;

(L) recommendations for approaches to the creation of a United States Cyber Force and the further evolution of the model described in paragraph (1)(B) for United States Cyber Command that would minimize disruptions to Department of Defense cyber operations;

(M) the histories of the Armed Forces, including an analysis of the conditions that preceded the establishment of each new Armed Force established since 1900; and

(N) a comparison between the potential service secretariat leadership structures for a United States Cyber Force and the further evolution of the model described in paragraph (1) for United States Cyber Command, including establishing the United States Cyber Force within an existing military department, standing up a new military department, and evolving the service secretary-like function of the Principal Cyber Advisor in the Office of the Under Secretary of Defense for Policy.
(3) Considerations.—The evaluation conducted pursuant to paragraph (1) shall include an evaluation of how a potential United States Cyber Force dedicated to the cyber domain would compare in performance and efficacy to the current model and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command, with respect to the following functions and potential objective end states, as well as an evaluation of the importance of the functions and potential end states:

(A) Organizing, training, and equipping the size of a force necessary to satisfy existing and projected requirements of the Department of Defense.

(B) Harmonizing training requirements and programs in support of cyberspace operations.

(C) Recruiting and retaining qualified officers and enlisted members of the Armed Forces at the levels necessary to execute cyberspace operations.

(D) Using reserve component forces in support of cyberspace operations.

(E) Sustaining persistent force readiness.
(F) Generating foundational intelligence in support of cyberspace operations.

(G) Acquiring and providing cyber capabilities in support of cyberspace operations.

(H) Establishing pay parity among members of the Armed Forces serving in and qualified for work roles in support of cyberspace operations.

(I) Establishing pay parity among civilians serving in and qualified for work roles in support of cyberspace operations.

(J) Establishing advancement parity for members of the Armed Forces serving in and qualified for work roles in support of cyberspace operations.

(K) Establishing advancement parity for civilians serving in and qualified for work roles in support of cyberspace operations.

(L) Developing professional military education content and curricula focused on the cyber domain.

(c) SUPPORT FROM FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—

(1) IN GENERAL.—Upon a request from the National Academy, the Secretary shall seek to enter
into an agreement with a federally funded research and development center described in paragraph (2) under which such federally funded research and development center shall support the National Academy in conducting the evaluation under subsection (b).

(2) Federally Funded Research and Development Center Described.—A federally funded research and development center described in this paragraph is a federally funded research and development center the staff of which includes subject matter experts with appropriate security clearances and expertise in—

(A) cyber warfare;
(B) personnel management;
(C) military training processes; and
(D) acquisition management.

(d) Access to Department of Defense Personnel, Information, and Resources.—Under an agreement entered into between the Secretary and the National Academies under subsection (a)—

(1) the Secretary shall agree to provide to the National Academy access to such personnel, information, and resources of the Department of Defense as may be determined necessary by the National
Academy in furtherance of the conduct of the eval-
uation under subsection (b); and

(2) if the Secretary does not provide such ac-
cess, or any other major obstacle to such access oc-
curs, the National Academy shall agree to notify the
congressional defense committees not later than
seven days after the date of such refusal or other oc-
currence.

(e) Report.—

(1) Submission to Congress.—Under an
agreement entered into between the Secretary and
the National Academy under subsection (a), the Na-
tional Academy shall submit to the congressional de-
fense committees a report containing the findings of
the National Academy with respect to the evaluation
under subsection (b) not later than 210 days after
the date of the execution of the agreement.

(2) Prohibition against Interference.—
No personnel of the Department of Defense, nor any
other officer or employee of the United States Gov-
ernment, may interfere, exert undue influence, or in
any way seek to alter the findings of the National
Academy specified in paragraph (1) prior to the sub-
mission thereof under such paragraph.
(3) FORM.—The report under paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

Subtitle B—Matters Relating to Department of Defense Cybersecurity and Information Technology

SEC. 1611. REQUIREMENTS FOR DEPLOYMENT OF FIFTH GENERATION INFORMATION AND COMMUNICATIONS CAPABILITIES TO DEPARTMENT OF DEFENSE BASES AND FACILITIES.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) develop and implement a strategy for deploying private networks, based on fifth generation information and communications capabilities (5G) and Open Radio Access Network (ORAN) architecture, to military bases and facilities that are tailored to the specific mission, security, and performance requirements of those bases and facilities;

(2) create a common, transparent, and streamlined process for enabling public network service providers of fifth generation information and communications capabilities to gain access to military bases and facilities to provide commercial subscriber serv-
ices to government and contractor personnel and organizations located on those bases and facilities; and

(3) decide, on a case-by-case basis or as a common requirement, whether to contract for—

(A) neutral hosting, whereby infrastructure and services will be provided to companies deploying private networks and public network services through Multi-Operator Core Network architectures; or

(B) separate private network and public network infrastructure.

(b) INTERNATIONAL COOPERATION ACTIVITIES.— The Secretary may engage in cooperation activities with foreign allies and partners of the United States, using an authority provided by another provision of law, to inform the efficient and effective deployment of Open Radio Access Network architecture and to implement the strategy required under subsection (a)(1).

(c) DUE DATE FOR STRATEGY AND BRIEFING.—

(1) STRATEGY.—The Secretary shall develop the strategy required in subsection (a)(1) not later than 120 days after the date of the enactment of this Act.

(2) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary
shall provide to the congressional defense committees a briefing on the strategy developed under paragraph (1) of subsection (a) and the activities of the Secretary under such subsection.

(d) **Definition of Open Radio Access Network.**—The term “Open Radio Access Network” means a network architecture that is modular, uses open interfaces, and virtualizes functionality on commodity hardware through software.

**SEC. 1612. DEPARTMENT OF DEFENSE INFORMATION NETWORK BOUNDARY AND CROSS-DOMAIN DEFENSE.**

(a) **Modernization Program Required.**—The Secretary of Defense shall carry out a modernization program for network boundary and cross-domain defense against cyber attacks, expanding upon the fiscal year 2023 pilot program and initial deployment to the primary Department of Defense internet access points (IAPs) managed by the Defense Information Systems Agency (DISA).

(b) **Program Phases.**—

(1) **In General.**—The modernization program required by subsection (a) shall be implemented in phases, with the objective of completing the program by October 1, 2028.
(2) Objectives.—The phases required by paragraph (1) shall include the following objectives:

(A) By the end of fiscal year 2026, completion of—

(i) a pilot of modernized boundary defense capabilities and initial and full deployment of the capabilities to internet access points managed by the Defense Information Systems Agency; and

(ii) the extension of modernized boundary defense capabilities to all additional internet access points of the Department of Defense information network (DODIN).

(B) By the end of fiscal year 2027, survey, pilot, and deploy modernized boundary defense capabilities to the access points and cross-domain capabilities of the Secret Internet Protocol Network.

(C) By the end of fiscal year 2028, survey, pilot, and deploy modernized boundary defense capabilities to remaining classified networks and enclaves of the Department information network.
(c) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on—

(1) the findings of the Secretary with respect to the pilot and initial deployment under subsection (b)(2)(A)(i); and

(2) the plans of the Secretary for the phased deployment to other internet access points and classified networks pursuant to subsection (b).

SEC. 1613. POLICY AND GUIDANCE ON MEMORY-SAFE SOFTWARE PROGRAMMING.

(a) POLICY AND GUIDANCE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Department of Defense-wide policy and guidance in the form of a directive memorandum to implement the recommendations of the National Security Agency contained in the Software Memory Safety Cybersecurity Information Sheet published by the Agency in November, 2022, regarding memory-safe software programming languages and testing to identify memory-related vulnerabilities in software developed, acquired by, and used by the Department of Defense.

(b) REQUIREMENTS.—The policy required in subsection (a) shall—
(1) establish the conditions and associated approval processes under which a component of the Department may—

(A) contract for the development of custom software that includes open source and reused software written in programming languages that are not classified as memory-safe by the Agency;

(B) acquire commercial software items that use programming languages that are not classified as memory-safe by the Agency;

(C) contract for software-as-a-service where the contractor uses programming languages that are not classified as memory-safe by the Agency; and

(D) develop software in Federal Government-owned software factories programming languages that are not classified as memory-safe by the Agency; and

(2) establish requirements and processes for employing static and dynamic application security testing that can identify memory-use issues and vulnerabilities and resolve them for software contracted for, developed, or acquired as described in paragraph (1).
(c) Briefing Required.—Not later than 300 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the policy and guidance developed under subsection (a).

SEC. 1614. DEVELOPMENT OF REGIONAL CYBERSECURITY STRATEGIES.

(a) Development of Strategies Required.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Commander of United States Cyber Command and each commander of a geographic combatant command, develop, for each geographic combatant command, a regional cybersecurity strategy to support the operations of such command.

(b) Elements.—Each regional cybersecurity strategy developed under subsection (a) for a geographic combatant command shall include the following:

(1) A description or an outline of methods to identify both nation-state and non-state cyber threat actors.

(2) Processes to enhance the targeting, intelligence, and cyber capabilities of the combatant command.
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(3) Plans to increase the number of cyber planners embedded in the combatant command.

(4) Processes to integrate cyber forces into other warfare domains.

(5) A plan to assist, train, advise, and participate in cyber capacity building with international partners.

(6) A prioritization of cyber risks and vulnerabilities within the geographic region.

(7) Processes to coordinate cyber activities with interagency partners with activities in the geographic region.

(8) Specific plans to assist in the defense of foreign infrastructure that is critical to the national security interests of the United States.

(9) Means by which the Cybersecurity and Infrastructure Security Agency will be integrated into each strategy.

SEC. 1615. CYBER INCIDENT REPORTING.

(a) Cyber Incident Reporting Requirement.—

(1) Department governance.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chief Information Officer of the Department of Defense, the Commander of United
States Cyber Command, and the Commander of the Joint Force Headquarters Department of Defense Information Network—

(A) assign responsibility to the Commander of the Joint Force Headquarters Department of Defense Information Network to oversee cyber incident reporting and notification of cyber incidents to Department leadership;

(B) align policy and system requirements to enable the Department to have enterprise-wide visibility of cyber incident reporting to support rapid and appropriate response; and

(C) distribute new guidance to Department personnel on cyber incident reporting, which shall include detailed procedures for identifying, reporting, and notifying Department leadership of critical cyber incidents.

(2) DEFENSE INDUSTRIAL BASE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall ensure that the Chief Information Officer determines what actions need to be taken to encourage more complete and timely mandatory cyber incident reporting from persons in the defense industrial base.
(3) DATA BREACH NOTIFICATION.—The Secretary shall ensure that components of the Department document instances in which Department personnel affected by a privacy data breach are notified of the breach within 72 hours of the discovery of the breach.

(b) ASSESSMENT ON ESTABLISHING OFFICE OF CYBER STATISTICS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall complete an assessment of the feasibility and suitability of establishing, and resourcing required to establish, an office of cyber statistics to track cyber incidents and measure the response time of defense agencies and the military departments to address cyber threats, risks, and vulnerabilities.

(2) ELEMENTS.—The assessment required under paragraph (1) shall include an evaluation of the feasibility, suitability, and resourcing required for defense agencies and the military departments—

(A) to collect data on the amount of time it takes to detect a cyber incident;

(B) to respond to a cyber incident;
(C) to fully mitigate the risk of high-impact cyber vulnerabilities;

(D) to recover data following a malicious cyber intrusion; and

(E) to collect such other metrics as the Secretary determines would help improve cyber incident reporting practices.

SEC. 1616. MANAGEMENT BY DEPARTMENT OF DEFENSE OF MOBILE APPLICATIONS.

(a) IMPLEMENTATION OF RECOMMENDATIONS.—


(2) DEADLINE.—The Secretary shall implement the recommendations specified in subsection (a) by not later than one year after the date of the enactment of this Act, unless the Secretary notifies the congressional defense committees in writing of specific recommendations that the Secretary chooses
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not to implement or to implement after the date that
is one year after the date of the enactment of this
Act.

(b) Briefing on Requirements Related to Covered Applications.—

(1) In general.—Not later than 120 days
after the date of the enactment of this Act, the Sec-
retary shall brief the congressional defense commit-
tees on actions taken by the Secretary to enforce
compliance with existing policy of the Department of
Defense that prohibits—

(A) the installation and use of covered ap-
plications on Federal Government devices; and

(B) the use of covered applications on the
Department of Defense Information Network
on personal devices.

(2) Covered Applications Defined.—In this
subsection, the term “covered applications” means
the social networking service TikTok or any suc-
cessor application or service developed or provided
by ByteDance Limited or an entity owned by
ByteDance Limited.
SEC. 1617. SECURITY ENHANCEMENTS FOR THE NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS NETWORK.

(a) Required Establishment of Cross-Functional Team.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a cross-functional team, in accordance with section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note), to develop and direct the implementation of a threat-driven cyber defense construct for systems and networks that support the nuclear command, control, and communications (commonly referred to as “NC3”) mission.

(2) Participation in the cross-functional team.—The Secretary shall ensure that each of the military departments, the Defense Information Systems Agency, the National Security Agency, United States Cyber Command, and the Nuclear Command, Control, and Communications Enterprise Center of United States Strategic Command provide staff for the cross-functional team.

(3) Scope.—The cross-functional team shall work to enhance the cyber defense of the nuclear
command, control, and communications network during the period beginning on the date of the enactment of this Act and ending on October 31, 2028, or a subsequent date as the Secretary may determine.

(b) Required Construct and Plan of Action and Milestones.—Not later than one year after the date of the enactment of this Act, the head of the cross-functional team established pursuant to subsection (a)(1) shall develop a cyber defense construct and associated plans of actions and milestones to enhance the security of the systems and networks that support the nuclear command, control, and communications mission that are based on—

(1) the application of the principles of the Zero Trust Architecture approach to security;

(2) analysis of appropriately comprehensive endpoint and network telemetry data; and

(3) control capabilities enabling rapid investigation and remediation of indicators of compromise and threats to mission execution.

(c) Annual Briefings.—During the 60-day period beginning on the date that is 30 days before the date on which the President submits to Congress the budget of the President for fiscal year 2025 pursuant to section
1105(a) of title 31, United States Code, and for each of fiscal years 2026 through 2028, the Secretary shall provide the congressional defense committees a briefing on the implementation of this section.

SEC. 1618. GUIDANCE REGARDING SECURING LABORATORIES OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, the Chief Digital and Artificial Intelligence Officer of the Department, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Intelligence and Security, issue guidance throughout the Department regarding methods and processes to secure laboratories of the Armed Forces from—

(1) unauthorized access and intrusion;
(2) damage to, and destruction, manipulation, or theft of, physical and digital laboratory assets;
(3) accidental or intentional release or disclosure of sensitive information; and
(4) cyber sabotage.

(b) METHODS AND PROCESSES.—At a minimum, the methods and processes required under subsection (a) shall include guidance to—
(1) secure laboratory operations through zero trust principles;

(2) control access of devices to laboratory information networks;

(3) secure inventory management processes;

(4) control or limit access to laboratories of the Armed Forces to authorized individuals;

(5) maintain the security and integrity of data libraries, repositories, and other digital assets;

(6) report and remediate cyber incidents or other unauthorized intrusions;

(7) train and educate personnel of the Department on laboratory security;

(8) develop an operations security (OPSEC) plan to secure laboratory operations that can be used to implement the appropriate countermeasures given the mission, assessed risk, and resources available to the unit and provides guidelines for implementation of routine procedures and measures to be employed during daily operations or activities of the unit; and

(9) develop and train applicable units on individualized secure laboratory critical information and indicator lists to aid in protecting critical information about Department activities, intentions, capa-
bilities, or limitations that an adversary seeks to gain a military, political, diplomatic, economic, or technological advantage.

SEC. 1619. ESTABLISHING IDENTITY, CREDENTIAL, AND ACCESS MANAGEMENT INITIATIVE AS A PROGRAM OF RECORD.

(a) In General.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall establish the Identity, Credential, and Access Management (ICAM) initiative as a program of record subject to milestone reviews, compliance with requirements, and operational testing.

(b) Elements.—The program of record established pursuant to subsection (a) shall encompass, at a minimum, the following:

(1) Correcting the authentication and credentialing security weaknesses, including in the Public Key Infrastructure program, identified by the Director of Operational Test and Evaluation in a report submitted to Congress in April, 2023, entitled “FY14-21 Observations of the Compromise of Cyber Credentials”.

(2) Implementing improved authentication technologies, such as biometric and behavioral authen-
ication techniques and other non-password-based solutions.

(c) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the parameters of the program of record established pursuant to subsection (a).

SEC. 1620. STRATEGY ON CYBERSECURITY RESILIENCY OF DEPARTMENT OF DEFENSE SPACE ENTERPRISE.

(a) STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, the Commander of United States Cyber Command, the Secretary of the Air Force, and the Commander of United States Space Command, develop and commence implementation of a Department-wide strategy regarding cyber protection activities for the Department of Defense space enterprise.

(b) ELEMENTS.—The strategy developed and implemented pursuant to subsection (a) shall, at a minimum, address the following elements:

(1) The coordination and synchronization of cyber protection activities across combatant com-
mands, the military departments, and defense agencies.

(2) The adoption and implementation of zero trust architecture on legacy and new space-based systems.

(3) How the Department will prioritize the mitigation of known cyber risks and vulnerabilities to legacy and new space-based systems.

(4) How the Department will accelerate the development of capabilities to protect space-based systems from cyber threats.

(c) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the strategy developed and implemented pursuant to subsection (a).

SEC. 1621. REQUIREMENTS FOR IMPLEMENTATION OF USER ACTIVITY MONITORING FOR CLEARED PERSONNEL AND OPERATIONAL AND INFORMATION TECHNOLOGY ADMINISTRATORS AND OTHER PRIVILEGED USERS.

(a) IN GENERAL.—The Secretary of Defense shall require each head of a component of the Department of Defense to fully implement directives, policies, and program requirements for user activity monitoring and least privi-
lege access controls for Federal Government and con-
tractor personnel granted access to classified information
and classified networks.

(b) Specific User Activity Control Require-
ments.—The Secretary shall require each head of a De-
partment component to fully implement the detection, col-
lection, and auditing of the following:

(1) Sent and received emails, including sent at-
chments and emails sent outside of Federal Gov-
ernment domains.

(2) Screen captures and print jobs, with fo-
cused attention on unusual volumes and times.

(3) Accesses to World Wide Web Uniform Re-
source Locators and uploads and downloads involv-
ing nongovernment domains.

(4) All instances in which a user creates, copies,
moves to, or renames a file on removable media.

(5) Secure file transfers, including on non-
standard ports.

(6) Keystrokes.

(7) Unauthorized research on user activity mon-
itoring agents and techniques to disable user activity
monitoring agents.

(8) Attempts to clear event logs on devices.
(9) Unauthorized applications being installed or run on an endpoint.

(10) Installation and use of mounted drives, including serial numbers of such drives.

(11) Initiation and control of an interactive session on a remote computer or virtual machine.

(12) Instances where monitored users are denied access to a network location or resource.

(13) Users uploading to or downloading from cloud services.

(14) Administrative actions by privileged users, including remote and after-hour administrative actions, as well as document viewing, copy and paste activity, and file copying to new locations.

(c) ADDITIONAL REQUIREMENTS.—The Secretary shall require each head of a Department component to implement the following:

(1) Automated controls to prohibit privileged user accounts from performing general user activities not requiring privileged access.

(2) Two-person control whereby privileged users attempt to initiate data transfers from a classified domain and removable media-based data transfer activities on classified networks.
(d) Establishing User Activity Monitoring Behavior Thresholds.—

(1) In general.—The Secretary shall require each head of a Department component to implement standard triggers, alerts, and controls developed by the Under Secretary of Defense for Intelligence and Security based on insider threat behavior models approved by the Under Secretary.

(2) Approval of deviations.—A head of a Department component that seeks to adopt a practice pursuant to paragraph (1) that deviates from standard triggers, alerts, and controls described in such paragraph by being less stringent shall submit to the Under Secretary a request for approval for such deviation along with a written justification for such deviation.

(e) Periodic Testing.—The Secretary shall require each head of a Department component, not less frequently than once every two years—

(1) to conduct insider threat testing using threat-realistic tactics, techniques, and procedures;

and

(2) to submit to the Under Secretary and the Director of Operational Test and Evaluation a re-
port on the findings of the head with respect to the
testing conducted pursuant to paragraph (1).

(f) **PERIODIC REVIEWS AND UPDATES.**—The Sec-
retary shall review and update the standard set of trig-
gers, alerts, and controls described in subsection (d)(1) at
least once every three years to account for new technology,
new insider threat behaviors, and the results of testing
conducted pursuant to subsection (e)(1).

(g) **REPORT.**—Not later than 180 days after the date
of the enactment of this Act, the Secretary shall submit
to the Committee on Armed Services and the Select Com-
mittee on Intelligence of the Senate and the Committee
on Armed Services and the Permanent Select Committee
on Intelligence of the House of Representatives a report
on the implementation of the requirements of this section.

(h) **DEFINITION OF TRIGGERS.**—In this section, the
term “trigger” means a set of logic statements applied to
a data stream that produces an alert when an anomalous
incident or behavior occurs.

**SEC. 1622. DEPARTMENT OF DEFENSE DIGITAL CONTENT**

**PROVENANCE.**

(a) **BRIEFING.**—

(1) **IN GENERAL.**—Not later than 90 days after
the date of the enactment of this Act, the Director
of the Defense Media Activity (DMA) shall provide
a to the Committee on Armed Services of the Senate
and the Committee on Armed Services of the House
of Representatives a briefing on developing a course
of education at the Defense Information School
(DINFOS) to teach the practical concepts and skills
needed by Department of Defense public affairs,
audiovisual, visual information, and records manage-
ment specialists.

(2) ELEMENTS.—The briefing provided pursuant
to paragraph (1) shall cover the following:

(A) The expertise and qualifications of the
Department personnel who will be responsible
for teaching the proposed course of education.

(B) The list of sources that will be con-
sulted and used to develop the proposed cur-
riculum for the course of education.

(C) A description of the industry open
technical standards under subsection (b)(1)(C).

(D) The status of the implementation of
the course of education.

(b) COURSE OF EDUCATION REQUIRED.—

(1) IN GENERAL.—Not later than one year
after the date of the enactment of this Act, the Di-
rector of the Defense Media Activity shall establish
a course of education at the Defense Information
School to teach the practical concepts and skills needed by public affairs, audiovisual, visual information, and records management specialists to understand the following:

(A) Digital content provenance for applicable Department media content.

(B) The challenges posed to Department missions and operations by a digital content forgery.

(C) How existing industry open technical standards may be used to authenticate the digital content provenance of applicable Department media content.

(2) MATTERS COVERED.—The course of education established pursuant to paragraph (1) shall cover the following:

(A) The challenges to Department missions and operations posed by a digital content forgery.

(B) The development of industry open technical standards for verifying the digital content provenance of applicable Department media content.

(C) Hands-on training techniques for capturing secure and authenticated digital content
for documenting and communicating Department themes and messages.

(D) Training for completing post-production tasks by using industry open technical standards for digital content provenance and transmitting applicable Department media content in both operational and nonoperational environments.

(E) Such other matters as the Director considers appropriate.

(3) REPORT.—Not later than one year after the date of the establishment of the course required in paragraph (1), the Director shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatves a report on the following:

(A) The status of the development of a curriculum to carry out the course of education required by paragraph (1).

(B) The implementation plan of the Director for such course of education, including the following:

(i) The expertise and qualifications of the Department personnel responsible for teaching the course of education.
(ii) The list of sources consulted and used to develop the curriculum for the course of education.

(iii) A description of the industry open technical standards under subsection (b)(1)(C).

(iv) The status of the implementation of the course of education.

(C) The resources available to the Director to carry out this subsection and whether the Director requires any additional resources to carry out this subsection.

(e) Pilot Program on Implementing Digital Content Provenance Standards.—

(1) Pilot program required.—Not later than one year after the date of the enactment of this Act, the Director shall commence a pilot program to assess the feasibility and advisability of implementing industry open technical standards for digital content provenance for official Department photographic and video visual documentation that is publicly released by the Defense Visual Information Distribution Service (DVIDS) and other distribution platforms, systems, and services used by the Department.
(2) **ELEMENTS.**—In carrying out the pilot program required by paragraph (1), the Director shall—

(A) establish a process for using industry open technical standards for verifying the digital content provenance of applicable Department media content;

(B) apply technology solutions on photographs and videos of the Department publicly released after the date of the enactment of this section, that comport with industry open technical standard for digital content provenance;

(C) assess the feasibility and advisability of applying an industry open technical standard for digital content provenance on historical visual information records of the Department stored at the Defense Visual Information Records Center; and

(D) develop and apply measure of effectiveness for the execution of the pilot program.

(3) **CONSULTATION.**—In carrying out the pilot program required by paragraph (1), the Director may consult with federally funded research and development centers, private industry, academia, and such others as the Director considers appropriate.
(4) TERMINATION.—The pilot program carried out pursuant to paragraph (1) shall terminate on January 1, 2027.

(5) REPORT.—

(A) IN GENERAL.—Not later than January 1, 2026, the Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the pilot program.

(B) CONTENTS.—The report submitted pursuant to subparagraph (A) shall include the following:

(i) The findings of the Director with respect to the pilot program.

(ii) The names of all entities the Director consulted with in carrying out the pilot program as authorized under paragraph (3).

(iii) Assessment of the effectiveness of the pilot.

(iv) A recommendation as to whether the pilot program should be made permanent.

(d) DEFINITIONS.—In this section:
The term “applicable Department media content” means the media holdings generated, stored, or controlled by the Defense Media Activity.

(2) The term “digital content forgery” means the use of emerging technologies, including artificial intelligence and machine learning techniques to fabricate or manipulate audio, visual, or text content with the intent to mislead.

(3) The term “digital content provenance” means the verifiable chronology of the origin and history of a piece of digital content, such as an image, video, audio recording, or electronic document.

SEC. 1623. POST-GRADUATE EMPLOYMENT OF CYBER SERVICE ACADEMY SCHOLARSHIP RECIPIENTS IN INTELLIGENCE COMMUNITY.


(1) in subsection (a)—

(A) in paragraph (1), by inserting “, the heads of the elements of the intelligence community,” after “the Secretary of Homeland Security”; and
(B) in paragraph (3), by striking “Department of Defense Cyber and Digital Service Academy” and inserting “Cyber Service Academy”; and

(2) in subsection (d), by inserting “or an element of the intelligence community” after “missions of the Department”;

(3) in subsection (e)—

(A) by striking “Secretary” each place it appears and inserting “head concerned”; and

(B) by inserting “…or within an element of the intelligence community, as the case may be” after “United States Code”;

(4) in subsections (h), (j), and (k), by striking “Secretary” each place it appears and inserting “head concerned”; and

(5) by adding at the end of the following new subsections:

“(p) INTERAGENCY CONSIDERATIONS.—

“(1) IN GENERAL.—The Secretary of Defense shall enter into an agreement with the head of an element of the intelligence community to allow a scholarship recipient to satisfy the recipient’s post-award employment obligations under this section by working for an element of the intelligence commu-
nity that is not part of the Department of Defense if the head of that element agrees to reimburse the Department of Defense for the scholarship program costs associated with that scholarship recipient.

“(2) LIMITATIONS.—(A) A scholarship recipient may not serve the recipient’s post-award employment obligation under this section at an element of the intelligence community that is not part of the Department of Defense before an agreement under paragraph (1) is reached.

“(B) Not more than 10 percent of scholarship recipients in each class may be placed in positions outside the Department of Defense unless the Secretary certifies that the Department of Defense cannot facilitate a placement within the Department of Defense.

“(q) DEFINITIONS.—In this section:

“(1) The term ‘head concerned’ means—

“(A) The Secretary of Defense, with respect to matters concerning the Department of Defense; or

“(B) the head of an element of the intelligence community, with respect to matters concerning that element.
“(2) The term ‘intelligence community’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).”.

SEC. 1624. MINIMUM NUMBER OF SCHOLARSHIPS TO BE AWARDED ANNUALLY THROUGH CYBER SERVICE ACADEMY.

Section 1535(e) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 2200 note) is amended by adding at the end the following new paragraph:

“(5) Minimum number of scholarship awards.—

“(A) In general.—The Secretary of Defense shall award not fewer than 1,000 scholarships through the Program in fiscal year 2026 and in each fiscal year thereafter.

“(B) Waiver.—The Secretary of Defense may award fewer than the number of scholarships required under subparagraph (A) in a fiscal year if the Secretary determines and notifies the congressional defense committees that fewer scholarships are necessary to address workforce needs.”.
TITLE XVII—SPACE FORCE
PERSONNEL MANAGEMENT

SEC. 1701. SHORT TITLE.
This title may be cited as the “Space Force Personnel Management Act”.

SEC. 1702. SPACE FORCE PERSONNEL MANAGEMENT ACT
TRANSITION PLAN.

(a) Conditions Required for Enactment.—

(1) In general.—None of the authorities provided by this title shall take effect until the later of—

(A) the Secretary of the Air Force—

(i) certifies to the congressional defense committees that any State National Guard affected by the transfer of units, personnel billets, equipment, and resources into the Space Force will be made whole by the transfer of additional assets under the control of the Secretary of the Air Force into the affected State National Guard; and

(ii) submits to the congressional defense committees a report that includes a transition plan to move all units, personnel billets, equipment, and resources performing core Space Force functions, under
the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the reserve components of the Department of the Air Force into the Space Force; and

(B) one year after the Secretary of Defense provides the briefing on the study required under section 1703(c).

(2) ELEMENTS.—The transition plan required under paragraph (1)(B) shall include the following elements:

(A) An identification of any units, personnel billets, equipment, and resources currently residing in the Air Force Reserve and Air National Guard that will be transferred into the Space Force, including, for items currently in the Air National Guard, a breakdown of assets by State.

(B) A timeline for the implementation of the authorities provided by this title.

(C) An explanation of any units personnel billets, equipment, and resources transferred between the Regular Air Force, Air Force Reserve, Air National Guard, and Space Force, including, for any assets transferred into or out
of the Air National Guard, a breakdown of transfers by State.

(b) PERSONNEL PROTECTIONS.—

(1) IN GENERAL.—In enacting the authorities provided by this title, the Secretary of the Air Force shall not require any currently serving member of the Air National Guard to enlist or commission into the Space Force.

(2) JOB PLACEMENT.—The Secretary of the Air Force shall provide employment opportunities within the Air National Guard to any currently serving member of the Air National Guard who, as a direct result of the enactment of this title, declines to affiliate with the Space Force.

(3) SPACE FORCE AFFILIATION.—The Secretary of the Air Force shall guarantee in writing that any member of the Air National Guard who joins the Space Force as a result of the enactment of this title will not lose rank or pay upon transferring to the Space Force.

(c) NATIONAL GUARD PROTECTIONS.—The Secretary of the Air Force shall ensure that no State National Guard loses Federal resources, including net personnel billets and Federal funding, as a result of the enactment of the authorities provided by this title.
SEC. 1703. COMPREHENSIVE ASSESSMENT OF SPACE FORCE EQUITIES IN THE NATIONAL GUARD.

(a) Study Required.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a Federally funded research and development center under which such center will conduct an independent study to assess the feasibility and advisability of moving all units, personnel billets, equipment, and resources performing core space functions, under the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the National Guard and into a single-component Space Force and provide to the Secretary a report on the findings of the study. The conduct of such study shall include the following elements:

(1) An analysis and recommendations associated with at least the three following possible courses of action:

(A) Maintaining the current model in which the Air National Guard has units and personnel performing core space functions.

(B) Transitioning such units and personnel to the Space Force.

(C) The creation of a new National Guard component of the Space Force.
(2) A cost-benefit analysis for each of the analyzed courses of action.

(3) With respect to the course of action described in paragraph (1)(B), an analysis of the ideal personnel, units, and resources that could be transitioned to the respective Air National Guards of States that may lose space-related personnel, units, and resources as a result of the consolidation of space-related personnel, units, and resources into the Space Force component.

(b) **Deadline for Completion.**—An agreement entered into pursuant to subsection (a) shall specify that the study conducted under the agreement shall be completed by not later than February 1, 2025.

(c) **Briefing and Report.**—

(1) **In General.**—Upon completion of a study conducted under an agreement entered into pursuant to subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing and report on the findings of the study, including a description of any proposed personnel, unit, or resource realignments related to the creation of the Space Force single component or recommended by such study.
(2) Classification of report.—The report required under paragraph (1) shall be submitted in unclassified form but may include classified appendices as required.

Subtitle A—Space Force Military Personnel System Without Component

sec. 1711. establishment of military personnel management system for the space force.

Title 10, United States Code, is amended by adding at the end the following new subtitle:

“Subtitle F—Alternative Military Personnel Systems

“PART I—SPACE FORCE

“CHAPTER 2001—SPACE FORCE PERSONNEL SYSTEM

Sec.
“20001. Single military personnel management system.
“20002. Members: duty status.
“20003. Members: minimum service requirement as applied to Space Force.
“§ 20001. Single military personnel management system

Members of the Space Force shall be managed through a single military personnel management system, without component.”.

SEC. 1712. COMPOSITION OF THE SPACE FORCE WITHOUT COMPONENT.

(a) Composition of the Space Force.—Section 9081(b) of title 10, United States Code, is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (1), as so redesignated, by striking “, including” and all that follows through “emergency”.

(b) Effective Date.—The amendments made by subsection (a) shall take effect on the date of the certification by the Secretary of the Air Force under section 1745.

SEC. 1713. DEFINITIONS FOR SINGLE PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

(a) Space Force Definitions.—Section 101 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and
(2) by inserting after subsection (d) the following new subsection (e):

“(e) SPACE FORCE.—The following definitions relating to members of the Space Force apply in this title:

“(1) The term ‘Space Force active status’ means the status of a member of the Space Force who is not in a Space Force inactive status and is not retired.

“(2) The term ‘Space Force inactive status’ means the status of a member of the Space Force who is designated by the Secretary of the Air Force, under regulations prescribed by the Secretary, as being in a Space Force inactive status.

“(3) The term ‘Space Force retired status’ means the status of a member of the Space Force who—

“(A) is receiving retired pay; or

“(B) but for being under the eligibility age applicable under section 12731 of this title, would be eligible for retired pay under chapter 1223 of this title.

“(4) The term ‘sustained duty’ means full-time duty by a member of the Space Force ordered to such duty by an authority designated by the Secretary of the Air Force—
“(A) in the case of an officer—

“(i) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law; or

“(ii) with the consent of the officer; and

“(B) in the case of an enlisted member,

with the consent of the enlisted member as specified in the terms of the member’s enlistment or reenlistment agreement.”.

(b) Amendments to Existing Duty Status Definitions.—Subsection (d) of such section is amended—

(1) in paragraph (1), by inserting “, including sustained duty in the Space Force” after “United States”; and

(2) in paragraph (7), by inserting “, or a member of the Space Force,” after “Reserves” both places it appears.

SEC. 1714. BASIC POLICIES RELATING TO SERVICE IN THE SPACE FORCE.

Chapter 2001 of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new sections:
§ 20002. Members: duty status

“Under regulations prescribed by the Secretary of the Air Force, each member of the Space Force shall be placed in one of the following duty statuses:

“(1) Space Force active status.
“(2) Space Force inactive status.
“(3) Space Force retired status.

§ 20003. Members: minimum service requirement as applied to Space Force

“(a) Inapplicability of Active/Reserve Service Distinction.—In applying section 651 of this title to a person who becomes a member of the Space Force, the provisions of the second sentence of subsection (a) and of subsection (b) of that section (relating to service in a reserve component) are inapplicable.

“(b) Treatment Upon Transfer Out of Space Force.—A member of the Space Force who transfers to one of the other armed forces before completing the service required by subsection (a) of section 651 of this title shall upon such transfer be subject to section 651 of this title in the same manner as if such member had initially entered the armed force to which the member transfers.”.

SEC. 1715. STATUS AND PARTICIPATION.

Subtitle F of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new chapter:
“CHAPTER 2003—STATUS AND PARTICIPATION

§ 20101. Members in Space Force active status: amount of annual training or active duty service required.

Except as specifically provided in regulations prescribed by the Secretary of Defense, a member of the Space Force in a Space Force active status who is not serving on sustained duty shall be required to—

“(1) participate in at least 48 scheduled drills or training periods during each year and serve on active duty for not less than 14 days (exclusive of travel time) during each year; or

“(2) serve on active duty for not more than 30 days during each year.
“§20102. Individual ready guardians: designation; mobilization category

“(a) IN GENERAL.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may designate a member of the Space Force in a Space Force active status as an Individual Ready Guardian.

“(b) MOBILIZATION CATEGORY.—

“(1) IN GENERAL.—Among members of the Space Force designated as Individual Ready Guardians, there is a category of members (referred to as a 'mobilization category') who, as designated by the Secretary of the Air Force, are subject to being ordered to active duty without their consent in accordance with section 20106(a) of this title.

“(2) LIMITATIONS ON PLACEMENT IN MOBILIZATION CATEGORY.—A member designated as an Individual Ready Guardian may not be placed in the mobilization category referred to in paragraph (1) unless—

“(A) the member volunteers to be placed in that mobilization category; and

“(B) the member is selected by the Secretary of the Air Force, based upon the needs of the Space Force and the grade and military skills of that member.
“(3) LIMITATION ON TIME IN MOBILIZATION CATEGORY.—A member of the Space Force in a Space Force active status may not remain designated an Individual Ready Guardian in such mobilization category after the end of the 24-month period beginning on the date of the separation of the member from active service.

“(4) DESIGNATION OF GRADES AND MILITARY SKILLS OR SPECIALTIES.—The Secretary of the Air Force shall designate the grades and military skills or specialties of members to be eligible for placement in such mobilization category.

“(5) BENEFITS.—A member in such mobilization category shall be eligible for benefits (other than pay and training) on the same basis as are available to members of the Individual Ready Reserve who are in the special mobilization category under section 10144(b) of this title, as determined by the Secretary of Defense.

“§ 20103. Members not on sustained duty: agreements concerning conditions of service

“(a) AGREEMENTS.—The Secretary of the Air Force may enter into a written agreement with a member of the Space Force not on sustained duty—
“(1) requiring the member to serve on active
duty for a definite period of time;
“(2) specifying the conditions of the member’s
service on active duty; and
“(3) for a member serving in a Space Force in-
active status, specifying the conditions for the mem-
ber’s continued service as well as order to active
duty with and without the consent of the member.
“(b) CONDITIONS OF SERVICE.—An agreement
under subsection (a) shall specify the conditions of service.
The Secretary of the Air Force shall prescribe regulations
establishing—
“(1) what conditions of service may be specified
in the agreement;
“(2) the obligations of the parties; and
“(3) the consequences of failure to comply with
the terms of the agreement.
“(c) AUTHORITY FOR RETENTION ON ACTIVE DUTY
DURING WAR OR NATIONAL EMERGENCY.—If the period
of service on active duty of a member under an agreement
under subsection (a) expires during a war or during a na-
tional emergency declared by Congress or the President,
the member concerned may be kept on active duty, without
the consent of the member, as otherwise prescribed by law.
§ 20104. Orders to active duty: with consent of member

(a) Authority.—A member of the Space Force who is serving in a Space Force active status and is not on sustained duty, or who is serving in a Space Force inactive status, may, with the consent of the member, be ordered to active duty, or retained on active duty, under the following sections of chapter 1209 of this title in the same manner as applies to a member of a reserve component ordered to active duty, or retained on active duty, under that section with the consent of the member:

(1) Section 12301(d), relating to orders to active duty at any time with the consent of the member.

(2) Section 12301(h), relating to orders to active duty in connection with medical or health care matters.

(3) Section 12322, relating to active duty for health care.

(4) Section 12323, relating to active duty pending line of duty determination required for response to sexual assault.

(b) Applicable provisions of law.—The following sections of chapter 1209 of this title pertaining to a member of a reserve component ordered to active duty with the consent of the member apply to a member of the
Space Force who is ordered to active duty under this section in the same manner as to such a reserve component member:

“(1) Section 12308, relating to retention after becoming qualified for retired pay.

“(2) Section 12309, relating to use of Reserve officers in expansion of armed forces.

“(3) Section 12313, relating to release of reserve members from active duty.

“(4) Section 12314, relating to kinds of duty.

“(5) Section 12315, relating to duty with or without pay.

“(6) Section 12316, relating to payment of certain Reserves while on duty.

“(7) Section 12318, relating to duties and funding of reserve members on active duty.

“(8) Section 12320, relating to grade in which ordered to active duty.

“(9) Section 12321, relating to a limitation on number of reserve members assigned to Reserve Officer Training Corps units.

§ 20105. Sustained duty

“(a) ENLISTED MEMBERS.—An authority designated by the Secretary of the Air Force may order an enlisted member of the Space Force in a Space Force active status
to sustained duty, or retain an enlisted member on sustained duty, with the consent of that member, as specified in the terms of the member’s enlistment or reenlistment agreement.

“(b) Officers.—(1) An authority designated by the Secretary of the Air Force may order a Space Force officer in a Space Force active status to sustained duty—

“(A) with the consent of the officer; or

“(B) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law.

“(2) An officer ordered to sustained duty under paragraph (1) may not be released from sustained duty without the officer’s consent except as provided in chapter 2009 or 2011 of this title.

“§ 20106. Orders to active duty: without consent of member

“(a) Members in a Space Force Active Status.—(1) A member of the Space Force in a Space Force active status who is not on sustained duty, may, without the consent of the member, be ordered to active duty or inactive duty in the same manner as a member of a reserve component ordered to active duty or inactive duty under the provisions of chapter 1209 of this title and any other provision of law authorizing the order to active duty of
a member of a reserve component in an active status without the consent of the member.

“(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to a member of the Ready Reserve when ordered to active duty shall apply to a member of the Space Force who is in a Space Force active status when ordered to active duty under paragraph (1).

“(3) The provisions of section 12304 of this title pertaining to members in the Individual Ready Reserve mobilization category shall apply to a member of the Space Force who is designated an Individual Ready Guardian when ordered to active duty who meets the provisions of section 20102(b) of this title.

“(b) Members in a Space Force Inactive Status.—(1) A member of the Space Force in a Space Force inactive status may be ordered to active duty under—

“(A) the provisions of chapter 1209 of this title;

“(B) any other provision of law authorizing the order to active duty of a member of a reserve component in an inactive status; and

“(C) the terms of any agreement entered into by the member under section 20103 of this title.
“(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to the Stand-by Reserve shall apply to a member of the Space Force who is in a Space Force inactive service when ordered to active duty.

“(c) Members in a Space Force Retired Status.—(1) Chapters 39 and 1209 of this title include provisions authorizing the order to active duty of a member of the Space Force in a Space Force retired status.

“(2) The provisions of sections 688, 688a, and 12407 of this title pertaining to a retired member or a member of the Retired Reserve shall apply to a member of the Space Force in a Space Force retired status when ordered to active duty.

“(3) The provisions of section 689 of this title pertaining to a retired member ordered to active duty shall apply to a member of the Space Force in a Space Force retired status who is ordered to active duty.

“(d) Other Applicable Provisions.—The following provisions of chapter 1209 of this title pertaining shall apply to a member of the Space Force ordered to active duty in the same manner as to a Reserve or member of the Retired Reserve ordered to active duty:
“(1) Section 12305, relating to the authority of the President to suspend certain laws relating to promotion, retirement, and separation.

“(2) Section 12308, relating to retention after becoming qualified for retired pay.

“(3) Section 12313, relating to release from active duty.

“(4) Section 12314, relating to kinds of duty.

“(5) Section 12315, relating to duty with or without pay.

“(6) Section 12316, relating to payment of certain Reserves while on duty.

“(7) Section 12317, relating to theological students; limitations.

“(8) Section 12320, relating to grade in which ordered to active duty.

§20107. Transfer to inactive status: initial service obligation not complete

“(a) General Rule.—A member of the Space Force who has not completed the required minimum service obligation referred to in section 20003 of this title shall, if terminating Space Force active status, be transferred to a Space Force inactive status and, unless otherwise designated an Individual Ready Guardian under section 20102 of this title, shall remain subject to order to active
duty without the member’s consent under section 20106 of this title.

“(b) EXCEPTION.—Subsection (a) does not apply to a member who is separated from the Space Force by the Secretary of the Air Force under section 20503 of this title.

§ 20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors

“For the purposes of laws providing pay and benefits for members of the Armed Forces and their dependents and beneficiaries:

“(1) Military training, duty, or other service performed by a member of the Space Force in a Space Force active status not on sustained duty shall be considered military training, duty, or other service, as the case may be, as a member of a reserve component.

“(2) Sustained duty performed by a member of the Space Force under section 20105 of this title shall be considered active duty as a member of a regular component.

“(3) Active duty performed by a member of the Space Force in a Space Force active status not on
sustained duty shall be considered active duty as a member of a reserve component.

“(4) Inactive-duty training performed by a member of the Space Force shall be considered inactive-duty training as a member of a reserve component.

“§ 20109. Policy for order to active duty based upon determination by Congress

“Whenever Congress determines that more units and organizations capable of conducting space operations are needed for the national security than are available among those units comprised of members of the Space Force serving on active duty, members of the Space Force not serving on active duty shall be ordered to active duty and retained as long as so needed.”.

SEC. 1716. OFFICERS.

(a) ORIGINAL APPOINTMENTS.—Subtitle F of title 10, United States Code, as amended by section 1715, is further amended by adding at the end the following new chapter:

“CHAPTER 2005—OFFICERS

‘‘Subchapter
‘‘I. Original appointments ................................................................. 20201
‘‘II. Selection boards ........................................................................ 20211
‘‘III. Promotions ................................................................. 20231
‘‘IV. Persons not considered for promotion and other promotion-related provisions ........................................... 20241
‘‘V. Applicability of other laws ............................................................. 20251
“SUBCHAPTER I—ORIGINAL APPOINTMENTS

“Sec.
“§20201. Original appointments: how made.
“§20202. Original appointments: qualifications.
“§20203. Original appointments: service credit.

“§ 20201. Original appointments: how made
“The provisions of section 531 of this title shall apply to original appointments of commissioned officers in the Space Force.

“§ 20202. Original appointments: qualifications
“(a) In general.—An original appointment as a commissioned officer in the Space Force may be given only to a person who—
“(1) is a citizen of the United States;
“(2) is at least 18 years of age; and
“(3) has such other physical, mental, moral, professional, and age qualifications as the Secretary of the Air Force may prescribe by regulation.
“(b) Exception.—A person who is otherwise qualified, but who has a physical condition that the Secretary of the Air Force determines will not interfere with the performance of the duties to which that person may be assigned, may be appointed as an officer in the Space Force.

“§ 20203. Original appointments: service credit
“The provisions of section 533 of this title shall apply to the crediting of prior active commissioned service for original appointments of commissioned officers.”.
(b) **Conforming Amendments Relating to Original Appointments.**—

(1) **Definitions.**—Section 101 of title 10, United States Code, is amended in subsection (b)(10) by inserting before the period at the end the following: “and, with respect to the appointment of a member of the armed forces in the Space Force, refers to that member’s most recent appointment in the Space Force that is neither a promotion nor a demotion”.

(2) **Original Appointments of Commissioned Officers.**—Section 531 of such title is amended by striking “Regular” before “Space Force” each place it appears.

(3) **Qualifications for Original Appointment as a Commissioned Officer.**—Section 532(a) of such title is amended by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”.

(4) **Service Credit upon Original Appointment as a Commissioned Officer.**—Section 533 of such title is amended by striking “Regular” before “Space Force” each place it appears.

(c) **Selection Boards and Promotions.**—Chapter 205 of title 10, United States Code, as added by sub-
section (a), is amended by adding at the end the following new subchapters:

"SUBCHAPTER II—SELECTION BOARDS

"Sec.
"20211. Convening of selection boards.
"20212. Composition of selection boards.
"20214. Information furnished to selection boards.
"20215. Recommendations for promotion by selection boards.
"20216. Reports of selection boards.
"20217. Action on reports of selection boards for promotion to brigadier general or major general.

"§ 20211. Convening of selection boards

"(a) IN GENERAL.—Whenever the needs of the service require, the Secretary of the Air Force shall convene selection boards to recommend for promotion to the next higher permanent grade officers of the Space Force in each permanent grade from first lieutenant through brigadier general.

"(b) EXCEPTION FOR OFFICERS IN GRADE OF FIRST LIEUTENANT.—Subsection (a) does not require the convening of a selection board in the case of Space Force officers in the permanent grade of first lieutenant when the Secretary of the Air Force recommends for promotion to the grade of captain under section 20238(a)(4)(A) of this title all such officers whom the Secretary finds to be fully qualified for promotion.

"(c) SECTION 20404 SELECTION BOARDS.—The Secretary of the Air Force may convene selection boards to recommend officers for early retirement under section
20404(a) of this title or for discharge under section
20404(b) of this title.

“(d) Regulations.—The convening of selection
boards under subsection (a) shall be under regulations
prescribed by the Secretary of the Defense.

“§ 20212. Composition of selection boards —

“(a) Appointment and Composition of
Boards.—

“(1) In general.—Members of a selection
board shall be appointed by the Secretary of Air
Force in accordance with this section. A selection
board shall consist of five or more officers of the
Space Force. Each member of a selection board
must be serving in a grade higher than the grade of
the officers under consideration by the board, except
that no member of a board may be serving in a
grade below major. The members of a selection
board shall include at least one member serving on
sustained duty and at least one member in a Space
Force active status who is not serving on sustained
duty. The ratio of the members of a selection board
serving on sustained duty to members serving in a
Space Force active status not on sustained duty
shall, to the extent practicable, reflect the ratio of
officers serving in each of those statuses who are
being considered for promotion by the board. The members of a selection board shall represent the diverse population of the Space Force to the extent practicable.

“(2) REPRESENTATION FROM COMPETITIVE CATEGORIES.—(A) Except as provided in subparagraph (B), a selection board shall include at least one officer from each competitive category of officers to be considered by the board.

“(B) A selection board need not include an officer from a competitive category when there are no officers of that competitive category on the Space Force officer list in a grade higher than the grade of the officers to be considered by the board and eligible to serve on the board.

“(3) RETIRED OFFICERS.—If qualified officers on the Space Force officer list are not available in sufficient number to comprise a selection board, the Secretary of the Air Force shall complete the membership of the board by appointing as members of the board—

“(A) Space Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers; and
“(B) if sufficient Space Force officers are not available pursuant to subparagraph (A), Air Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers, but only if the Air Force officer to be appointed to the board has served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.

“(4) Exclusion of Retired General Officers on Active Duty to Serve on a Board from Numeric General Officer Active-Duty Limitations.—A retired general officer who is on active duty for the purpose of serving on a selection board shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

“(b) Limitation on Membership on Consecutive Boards.—

“(1) General Rule.—Except as provided in paragraph (2), no officer may be a member of two
successive selection boards convened under section 20211 of this title for the consideration of officers of the same grade.

“(2) Exception for general officer boards.—Paragraph (1) does not apply with respect to selection boards convened under section 20211 of this title for the consideration of officers in the grade of colonel or brigadier general.

“(c) Joint qualified officers.—(1) Each selection board convened under section 20211 of this title that will consider an officer described in paragraph (2) shall include at least one officer designated by the Chairman of the Joint Chiefs of Staff who is a joint qualified officer.

“(2) Paragraph (1) applies with respect to an officer who—

“(A) is serving on, or has served on, the Joint Staff; or

“(B) is a joint qualified officer.

“(3) The Secretary of Defense may waive the requirement in paragraph (1) for any selection board of the Space Force.

§ 20213. Notice of convening of selection boards

“(a) Notice to eligible officers.—At least 30 days before a selection board is convened under section 20211 of this title to recommend officers in a grade for
promotion to the next higher grade, the Secretary of the Air Force shall—

“(1) notify in writing the officers eligible for consideration for promotion of the date on which the board is to convene and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification; or

“(2) issue a general written notice to the Space Force regarding the convening of the board which shall include the convening date of the board and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification.

“(b) COMMUNICATION FROM OFFICERS.—An officer eligible for consideration by a selection board convened under section 20211 of this title (other than an officer who has been excluded under section 20231(d) of this title from consideration by the board) may send a written communication to the board, to arrive not later than 10 calendar days before the date on which the board convenes, calling attention to any matter concerning the officer that the officer considers important to the officer’s case. The selection board shall give consideration to any timely communication under this subsection.
“(c) Notice of Intent of Certain Officers To Serve on or Off Active Duty.—An officer on the Space Force officer list in the grade of colonel or brigadier general who receives a notice under subsection (a) shall inform the Secretary of the officer’s preference to serve either on or off active duty if promoted to the grade of brigadier general or major general, respectively.

§ 20214. Information furnished to selection boards

“The provisions of section 615 of this title shall apply to information furnished to selection boards.

§ 20215. Recommendations for promotion by selection boards

“The provisions of section 616 of this title shall apply to recommendations for promotion by selection boards.

§ 20216. Reports of selection boards

“The provisions of section 617 of this title shall apply to reports of selection boards.

§ 20217. Action on reports of selection boards for promotion to brigadier general or major general

“The provisions of section 618 of this title shall apply to action on reports of selection boards.

“SUBCHAPTER III—PROMOTIONS

“Sec.

20231. Eligibility for consideration for promotion: time-in-grade and other requirements.
Eligibility for consideration for promotion: time-in-grade and other requirements

(a) Time-in-grade Requirements.—(1) An officer who is in a Space Force active status on the Space Force officer list and holds a permanent appointment in the grade of second lieutenant or first lieutenant may not be promoted to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:

(A) Eighteen months, in the case of an officer holding a permanent appointment in the grade of second lieutenant.

(B) Two years, in the case of an officer holding a permanent appointment in the grade of first lieutenant.

(2) Subject to paragraph (5), an officer who is in a Space Force active status on the Space Force officer list and holds a permanent appointment in a grade above first lieutenant may not be considered for selection for promotion to the next higher permanent grade until the
officer has completed the following period of service in the
grade in which the officer holds a permanent appointment:

“(A) Three years, in the case of an officer holding
a permanent appointment in the grade of cap-
tain, major, or lieutenant colonel.

“(B) One year, in the case of an officer holding
a permanent appointment in the grade of colonel or
brigadier general.

“(3) When the needs of the service require, the Sec-
retary of the Air Force may prescribe a longer period of
service in grade for eligibility for promotion, in the case
of officers to whom paragraph (1) applies, or for eligibility
for consideration for promotion, in the case of officers to
whom paragraph (2) applies.

“(4) When the needs of the service require, the Sec-
retary of the Air Force may prescribe a shorter period of
service in grade, but not less than two years, for eligibility
for consideration for promotion, in the case of officers des-
ignated for limited duty to whom paragraph (2) applies.

“(5) The Secretary of the Air Force may waive para-
graph (2) to the extent necessary to assure that officers
described in subparagraph (A) of such paragraph have at
least two opportunities for consideration for promotion to
the next higher grade as officers below the promotion
zone.
“(6) In computing service in grade for purposes of this section, service in a grade held as a result of assignment to a position is counted as service in the grade in which the officer would have served except for such assignment or appointment.

“(b) Continued Eligibility for Consideration for Promotion of Officers Who Have Previously Failed of Selection.—(1) Except as provided in paragraph (2), an officer who has failed of selection for promotion to the next higher grade remains eligible for consideration for promotion to that grade as long as the officer continues on active duty in other than a retired status and is not promoted.

“(2) Paragraph (1) does not apply to an officer on active status who is ineligible for consideration for promotion under section 631(c) of this title for the second time.

“(c) Officers To Be Considered by Promotion Boards.—(1) Each time a selection board is convened under section 20211 of this title for consideration of officers in a competitive category for promotion to the next higher grade, each officer in the promotion zone (except as provided under paragraph (2)), and each officer above the promotion zone, for the grade and competitive cat-
egory under consideration shall be considered for pro-
emotion.

“(2) The Secretary of the Air Force—

“(A) may, in accordance with standards and
procedures prescribed by the Secretary of Defense in
regulations which shall apply uniformly among the
military departments, limit the officers to be consid-
ered by a selection board from below the promotion
zone to those officers who are determined to be ex-
ceptionally well qualified for promotion;

“(B) may, by regulation, prescribe a period of
time, not to exceed one year, from the time an offi-
cer on the Space Force officer list transfers on or
off of sustained duty during which the officer shall
be ineligible for consideration for promotion; and

“(C) may, by regulation, preclude from consid-
eration by a selection board by which the officer
would otherwise be eligible to be considered, an offi-
cer who has an established separation date that is
within 90 days after the date on which the board is
to be convened.

“(3)(A) The Secretary of Defense may authorize the
Secretary of the Air Force to preclude from consideration
by selection boards for promotion to the grade of brigadier
general, officers in the grade of colonel who—
“(i) have been considered and not selected for promotion to the grade of brigadier general or by at least two selection boards; and

“(ii) are determined, in accordance with standards and procedures prescribed pursuant to subparagraph (B), as not being exceptionally well qualified for promotion.

“(B) If the Secretary of Defense authorizes the Secretary of the Air Force to have the authority described in subparagraph (A), the Secretary shall prescribe by regulation the standards and procedures for the exercise of such authority. Those regulations shall apply uniformly among the military departments and shall include the following provisions:

“(i) A requirement that the Secretary of the Air Force may exercise such authority in the case of a particular selection board only if the Secretary of Defense approves the exercise of that authority for that board.

“(ii) A requirement that an officer may be precluded from consideration by a selection board under this paragraph only upon the recommendation of a preselection board of officers convened by the Secretary of the military department concerned and composed of at least three officers all of whom are
serving in a grade higher than the grade of such officer.

“(iii) A requirement that such a preselection board may not recommend that an officer be precluded from such consideration unless the Secretary of the Air Force has given the officer advance written notice of the convening of such board and of the military records that will be considered by the board and has given the officer a reasonable period before the convening of the board in which to submit comments to the board.

“(iv) A requirement that the Secretary of the Air Force shall provide general guidance to the board in accordance with standards and procedures prescribed by the Secretary of Defense in those regulations.

“(v) A requirement that the preselection board may recommend that an officer be precluded from consideration by a selection board only on the basis of the general guidance provided by the Secretary Air Force, information in the officer’s official military personnel records that has been described in the notice provided the officer as required pursuant to clause (iii), and any communication to the board received from that officer before the board convenes.
“(d) Certain Officers Not To Be Considered.—A selection board convened under section 20211 of this title may not consider for promotion to the next higher grade any of the following officers:

“(1) An officer whose name is on a promotion list for that grade as a result of the officer’s selection for promotion to that grade by an earlier selection board convened under that section.

“(2) An officer who is recommended for promotion to that grade in the report of an earlier selection board convened under that section, in the case of such a report that has not yet been approved by the President.

“(3) An officer in the grade of first lieutenant who is on an approved all-fully-qualified-officers list under section 20238(a)(4) of this title.

“(4) An officer in the grade of captain who is not a citizen of the United States.

“(5) An officer excluded under subsection (e).

“(e) Authority To Allow Officers To Opt Out of Selection Board Consideration.—(1) The Secretary of the Air Force may provide that an officer on the Space Force officer list may, upon the officer’s request and with the approval of the Secretary, be excluded from consideration by a selection board convened under section
of this title to consider officers for promotion to
the next higher grade.

“(2) The Secretary of the Air Force may only ap-
prove a request under paragraph (1) if—

“(A)(i) the basis for the request is to allow an
officer to complete a broadening assignment, ad-
vanced education, another assignment of significant
value to the Department, a career progression re-
quirement delayed by the assignment or education;

“(ii) the Secretary determines the exclusion
from consideration is in the best interest of the
Space Force; and

“(iii) the officer has not previously failed of se-
lection for promotion to the grade for which the office-
er requests the exclusion from consideration; or

“(B)(i) the officer is serving in a critical skill
position that cannot be filled by another Space
Force officer serving in the same grade;

“(ii) the Secretary determines that it is in the
best interests of the Space Force for the officer to
continue to serve in their current position and grade;
and

“(iii) the officer has not previously opted out of
a promotion board under this authority.
§ 20232. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions

“The provisions of section 619a of this title shall apply to officers of the Space Force.

§ 20233. Opportunities for consideration for promotion

“(a) Specification of number of opportunities for consideration for promotion.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force shall specify the number of opportunities for consideration for promotion to be afforded to Space Force officers for promotion to each grade above the grade of captain.

“(b) Limitation on number of opportunities that may be specified.—The number of opportunities for consideration for promotion to be afforded officers of the Space Force for promotion to a particular grade may not exceed five.

“(c) Limited authority of Secretary of the Air Force to modify number of opportunities.—The Secretary of the Air Force may change the number of opportunities for consideration for promotion to a particular grade not more frequently than once every five years.
“(d) Authority of Secretary of Defense To Modify Number of Opportunities.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of the Space Force for promotion to a particular grade.

§ 20234. Space Force officer list

“(a) Single List.—The Secretary of the Air Force shall maintain a single list of all Space Force officers serving in a Space Force active status. The list shall be known as the Space Force officer list.

“(b) Order of Officers on List.—Officers shall be carried on the Space Force officer list in the order of seniority of the grade in which they are serving. Officers serving in the same grade shall be carried in the order of their rank in that grade.

“(c) Effect of Service in a Temporary Appointment.—An officer whose position on the Space Force officer list results from service under a temporary appointment or in a grade held by reason of assignment to a position has, when that appointment or assignment ends, the grade and position on the Space Force officer list that the officer would have held if the officer had not received that appointment or assignment.
§ 20235. Competitive categories  
(a) Requirement to Establish Competitive Categories for Promotion.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force shall establish at least one competitive category for promotion for officers on the Space Force officer list. Each officer whose name appears on the Space Force officer list shall be carried in a competitive category of officers. Officers in the same competitive category shall compete among themselves for promotion.  
(b) Single Competitive Category for Promotion to General Officer Grades.—The Secretary of the Air Force shall establish a single competitive category for all officers on the Space Force officer list who will be considered by a selection board convened under section 20211 of this title for promotion to the grade of brigadier general or major general.

§ 20236. Numbers to be recommended for promotion  
(a) Promotion to Grades Below Brigadier General.—(1) Before convening a selection board under section 20211 of this title to consider officers for recommendation for promotion to a grade below brigadier general and in any competitive category, the Secretary of the Air Force shall determine—  
(A) the number of positions needed to accomplish mission objectives which require officers of that
competitive category in the grade to which the board
will recommend officers for promotion;

“(B) the estimated number of officers needed to
fill vacancies in those positions during the period in
which it is anticipated that officers selected for pro-
motion will be promoted; and

“(C) the number of officers in a Space Force
active status authorized by the Secretary of the Air
Force to serve both on sustained duty and not on
sustained duty in the grade and competitive category
under consideration.

“(2) Based on the determinations under paragraph
(1), the Secretary of the Air Force shall determine the
maximum number of officers in that competitive category
which the selection board may recommend for promotion.

“(b) PROMOTION TO BRIGADIER GENERAL AND
MAJOR GENERAL.—(1) Before convening a selection
board under section 20211 of this title to consider officers
for recommendation for promotion to the grade of briga-
dier general or major general, the Secretary of the Air
Force shall determine—

“(A) the number of positions needed to accom-
plish mission objectives which require officers serv-
ing in a Space Force active status on sustained
duty, and in a Space Force active status not on sus-
tained duty, in the grade to which the board will recom-
mend officers for promotion; and

“(B) the estimated number of officers on sus-
tained duty and not on sustained duty needed to fill
vacancies in those positions over the 24-month pe-
riod beginning on the date on which the selection
board convenes.

“(2) Based on the determinations under paragraph
(1), the Secretary of the Air Force shall determine the
maximum number of officers serving in a Space Force ac-
tive status on sustained duty, and the maximum number
of officers serving in a Space Force active status not on
sustained duty, which the selection board may recommend
for promotion.

§ 20237. Establishment of promotion zones

“(a) In General.—Before convening a selection
board under section 20211 of this title to consider officers
for promotion to any grade above first lieutenant or lieu-
tenant (junior grade), the Secretary of the Air Force shall
establish a promotion zone for officers serving in each
grade and competitive category to be considered by the
board.

“(b) Determination of Number.—The Secretary
of the Air Force shall determine the number of officers
in the promotion zone for officers serving in any grade
and competitive category from among officers who are eligible for promotion in that grade and competitive category. Such determination shall be made on the basis of an estimate of—

“(1) the number of officers needed in that competitive category in the next higher grade in each of the next five years;

“(2) the number of officers to be serving in that competitive category in the next higher grade in each of the next five years;

“(3) in the case of a promotion zone for officers to be promoted to a grade to which section 523 of this title is applicable, the number of officers authorized for such grade under such section to be on active duty on the last day of each of the next five fiscal years; and

“(4) the number of officers that should be placed in that promotion zone in each of the next five years to provide to officers in those years relatively similar opportunity for promotion.

“§ 20238. Promotions: how made; authorized delay of promotions

“(a) Procedure for Promotion of Officers on an Approved Promotion List.—
“(1) Placement of Names on Promotion List.—When the report of a selection board convened under section 20211 of this title is approved by the President, the Secretary of the Air Force shall place the names of all officers approved for promotion within a competitive category on a single list for that competitive category, to be known as a promotion list, in the order of the seniority of such officers on the list or based on particular merit, as determined by the promotion board. A promotion list is considered to be established under this section as of the date of the approval of the report of the selection board under the preceding sentence.

“(2) Order and Timing of Promotions.—Except as provided in subsection (d), officers on a promotion list for a competitive category shall be promoted to the next higher grade when additional officers in that grade and competitive category are needed. Promotions shall be made in the order in which the names of officers appear on the promotion list and after officers previously selected for promotion in that competitive category have been promoted. Officers to be promoted to the grade of first lieutenant shall be promoted in accordance with reg-
ulations prescribed by the Secretary of the Air Force.

“(3) LIMITATION ON PROMOTIONS TO GENERAL OFFICER GRADES TO COMPLY WITH STRENGTH LIMITATIONS.—Under regulations prescribed by the Secretary of Defense, the promotion of an officer on the Space Force officer list to a general officer grade shall be delayed if that promotion would cause any strength limitation of section 526 of this title to be exceeded. The delay shall expire when the Secretary of the Air Force determines that the delay is no longer required to ensure compliance with the strength limitation.

“(4) PROMOTION OF FIRST LIEUTENANTS ON AN ALL-FULLY-QUALIFIED OFFICERS LIST.—(A) Except as provided in subsection (d), officers on the Space Force officer list in the grade of first lieutenant who are on an approved all-fully-qualified-officers list shall be promoted to the grade of captain in accordance with regulations prescribed by the Secretary of the Air Force.

“(B) An all-fully-qualified-officers list shall be considered to be approved for purposes of subparagraph (A) when the list is approved by the President. When so approved, such a list shall be treated
in the same manner as a promotion list under this chapter.

“(C) The Secretary of the Air Force may make a recommendation to the President for approval of an all-fully-qualified-officers list only when the Secretary determines that all officers on the list are needed in the next higher grade to accomplish mission objectives.

“(D) For purposes of this paragraph, an all-fully-qualified-officers list is a list of all officers on the Space Force officers list in a grade who the Secretary of the Air Force determines—

“(i) are fully qualified for promotion to the next higher grade; and

“(ii) would be eligible for consideration for promotion to the next higher grade by a selection board convened under section 20211 of this title upon the convening of such a board.

“(E) If the Secretary of the Air Force determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such
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officers for approval in accordance with this paragraph.

“(b) Date of Rank.—The date of rank of an officer appointed to a higher grade under this section is determined under section 741(d) of this title.

“(c) Appointment Authority.—Appointments under this section shall be made by the President, by and with the advice and consent of the Senate, except that appointments under this section in the grade of first lieutenant or captain shall be made by the President alone.

“(d) Authority To Delay Appointments for Specified Reasons.—The provisions of subsection (d) of section 624 of this title shall apply to the appointment of an officer under this section in the same manner as they apply to an appointment of an officer under that section, and any reference in that subsection to an active-duty list shall be treated for purposes of applicability to an officer of the Space Force as referring to the Space Force officer list.

“SUBCHAPTER IV—PERSONS NOT CONSIDERED FOR PROMOTION AND OTHER PROMOTION-RELATED PROVISIONS

Sec. 20241. Persons not considered for promotion and other promotion-related provisions.
§ 20241. Persons not considered for promotion and other promotion-related provisions

“Subchapter III of chapter 36 of this title shall apply to officers of the Space Force.

§ 20251. Applicability of certain DOPMA officer personnel policy provisions

“Except as otherwise modified or provided for in this chapter, the following provisions of chapter 36 of this title (relating to promotion, separation, and involuntary retirement of officers on the active-duty list) shall apply to Space Force officers and officer promotions:

“(1) Subchapter I (relating to selection boards).

“(2) Subchapter II (relating to promotions).

“(3) Subchapter III (relating to failure of selection for promotion and retirement for years of service).

“(4) Subchapter IV (relating to continuation on active duty and selective early retirement).

“(5) Subchapter V (additional provisions relating to promotion, separation, and retirement).
“(6) Subchapter VI (relating to alternative promotion authority for officers in designated competitive categories).”.

(d) Temporary (‘‘brevet’’) Promotions for Officers With Critical Skills.—Section 605 of title 10, United States Code, is amended as follows:

(1) Coverage of Space Force Officers.—Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are amended by striking “or Marine Corps,” each place it appears and inserting “Marine Corps, or Space Force,”.

(2) Disaggregation of Air Force Maximum Numbers.—Subsection (g) is amended—

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

(B) by striking paragraph (2) and inserting the following new paragraphs (2) and (3):

“(2) In the case of the Air Force—

“(A) as captain, 95;

“(B) as major, 305;

“(C) as lieutenant colonel, 165; and

“(D) as colonel, 75.

“(3) In the case of the Space Force—

“(A) as captain, 5;

“(B) as major, 20;
“(C) as lieutenant colonel, 10; and
“(D) as colonel, 5.”.

SEC. 1717. ENLISTED MEMBERS.

(a) In General.—Subtitle F of title 10, United States Code, as amended by section 1716, is further amended by adding at the end the following new chapter:

“CHAPTER 2007—ENLISTED MEMBERS

“20301. Original enlistments: qualifications; grade

“(a) Original Enlistments.—

“(1) Authority to Accept.—The Secretary of the Air Force may accept original enlistments in the Space Force of qualified, effective, and able-bodied persons.

“(2) Age.—A person accepted for original enlistment shall be not less than seventeen years of age. However, no person under eighteen years of age may be originally enlisted without the written consent of the person’s parent or guardian, if the person has a parent or guardian entitled to the person’s custody and control.

“(b) Grade.—A person is enlisted in the Space Force in the grade prescribed by the Secretary of the Air Force.
§ 20302. Enlisted members: term of enlistment

(a) Term of Original Enlistments.—The Secretary of the Air Force may accept original enlistments of persons for the duration of their minority or for a period of at least two but not more than eight years in the Space Force.

(b) Term of Reenlistments.—The Secretary of the Air Force may accept a reenlistment in the Space Force for a period determined in accordance with paragraphs (2), (3), and (4) of section 505(d) of this title.

§ 20303. Reference to chapter 31

For other provisions of this title applicable to enlistments in the Space Force, see chapter 31 of this title.”.

(b) Amendments to Title 10 Chapter Relating to Enlistments.—Chapter 31 of such title is amended as follows:

(1) Recruiting Campaigns.—Section 503(a) is amended by striking “and Regular Coast Guard” and inserting “Regular Coast Guard, and the Space Force”.

(2) Qualifications, Term, Grade.—Section 505 is amended—

(A) by striking “Regular Space Force,”

each place it appears; and

(B) by adding at the end the following new subsection:
“(e) For enlistments in the Space Force, see sections 20301 and 20302 of this title.”.

(3) EXTENSION OF ENLISTMENTS DURING WAR.—Section 506 is amended by striking “Regular” before “Space Force”.

(4) REENLISTMENT.—Section 508 is amended striking “Regular” before “Space Force” both places it appears.

(5) ENLISTMENT INCENTIVES FOR PURSUIT OF SKILLS TO FACILITATE NATIONAL SERVICE.—Section 510(c) is amended—

(A) in paragraph (2), by inserting “or the Space Force” after “Selected Reserve”; and

(B) in paragraph (3)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

(ii) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) in the Space Force;”; and

(iii) in subparagraph (F), as so redesignated, by striking “subparagraphs (A) through (D)” and inserting “subparagraphs (A) through (E)”).
(6) College First Program.—Section 511(b)(1)(A) is amended by inserting “or as a member of the Space Force,” after “reserve component.”

(7) Delayed Entry Program.—Section 513(a) is amended—

(A) by inserting, “, or who is qualified under section 20301 of this title and applicable regulations for enlistment in the Space Force,” after “armed force”; and

(B) by inserting “, or be enlisted as a member of the Space Force,” after “Coast Guard Reserve”.

(8) Effect Upon Enlisted Status of Acceptance of Appointment as Cadet or Midshipman.—Section 516(b) is amended by inserting “or in the Space Force,” after “armed force”.

Sec. 1718. Retention and Separation Generally.

(a) In General.—Subtitle F of title 10, United States Code, as amended by section 1717, is further amended by adding at the end the following new chapter:

“Chapter 2009—Retention and Separation Generally

Sec.

“20401. Applicability of certain provisions of law related to separation.


§ 20401. Applicability of certain provisions of law related to separation

(a) Officer Separation.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to officers of a regular component shall apply to officers of the Space Force.

(b) Enlisted Member Separation.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to enlisted members of a regular component shall apply to enlisted members of the Space Force.

(c) Separation Pay Upon Involuntary Discharge or Release From Active Duty.—The provisions of section 1174 of this title—

(1) pertaining to a regular officer shall apply to a Space Force officer serving on sustained duty;

(2) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

(3) pertaining to other members shall apply to members of the Space Force not serving on sustained duty.
“(d) Voluntary Separation Incentive.—The provisions of section 1175 of this title pertaining to a voluntary appointment, enlistment, or transfer to a reserve component shall apply to the voluntary release from active duty of a member of the Space Force on sustained duty.

“(e) Voluntary Separation Pay and Benefits.—The provisions of section 1176 of this title—

“(1) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

“(2) pertaining to a reserve enlisted member serving in an active status shall apply to an enlisted member of the Space Force serving in a Space Force active status or on sustained duty.

§20402. Enlisted members: standards and qualifications for retention

“(a) Standards and Qualifications for Retention.—Subject to such limitations as the Secretary of Defense may prescribe, the Secretary of the Air Force shall, by regulation, prescribe—

“(1) standards and qualifications for the retention of enlisted members of the Space Force; and

“(2) equitable procedures for the periodic determination of the compliance of each such member with those standards and qualifications.
“(b) Effect of Failure To Comply With Standards and Qualifications.—If an enlisted member serving in Space Force active status fails to comply with the standards and qualifications prescribed under subsection (a), the member shall—

“(1) if qualified, be transferred to Space Force inactive status;

“(2) if qualified, be retired in accordance with section 20603 of this title; or

“(3) have the member’s enlistment terminated.

“§ 20403. Officers: standards and qualifications for retention

“(a) Standards and Qualifications.—To be retained in an active status, a Space Force officer must—

“(1) in any applicable yearly period, attain the number of points specified under section 12732(a)(2) of this title; and

“(2) conform to such other standards and qualifications as the Secretary may prescribe for officers of the Space Force.

“(b) Result of Failure To Comply.—A Space Force officer who fails to attain the number of points prescribed under subsection (a)(1), or to conform to the standards and qualifications prescribed under subsection
§ 20404. Selection of officers for early retirement or discharge

(a) Consideration for Early Retirement.—

The Secretary of the Air Force may convene selection boards under section 20211(b) of this title to consider for early retirement officers on the Space Force officer list as follows:

“(1) Officers in the grade of lieutenant colonel who have failed of selection for promotion at least one time and whose names are not on a list of officers recommended for promotion.

“(2) Officers in the grade of colonel who have served in that grade for at least two years and whose names are not on a list of officers recommended for promotion.

“(3) Officers, other than those described in paragraphs (1) and (2), holding a grade below the grade of colonel—

“(A) who are eligible for retirement under section 20601 of this title or who after two additional years or less of active service would be eligible for retirement under that section; and
“(B) whose names are not on a list of officers recommended for promotion.

“(b) CONSIDERATION FOR DISCHARGE.—

“(1) Subject to such limitations as the Secretary of Defense may prescribe, the Secretary of the Air Force may convene selection boards under section 20211 of this title to consider for discharge officers on the Space Force officer list—

“(A) who have served at least one year of active status in the grade currently held;

“(B) whose names are not on a list of officers recommended for promotion; and

“(C) who are not eligible to be retired under any provision of law (other than by reason of eligibility pursuant to section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484)) and are not within two years of becoming so eligible.

“(2) An officer who is recommended for discharge by a selection board convened pursuant to the authority of paragraph (1) and whose discharge is approved by the Secretary of the Air Force shall be discharged on a date specified by the Secretary.
“(3) Selection of officers for discharge under paragraph (1) shall be based on the needs of the service.

“(c) Discharges and Retirements Considered to Be Involuntary.—The discharge or retirement of an officer pursuant to this section shall be considered to be involuntary for purposes of any other provision of law.

§ 20405. Force shaping authority

“(a) Authority.—The Secretary of the Air Force may, solely for the purpose of restructuring the Space Force—

“(1) discharge an officer described in subsection (b); or

“(2) involuntarily release such an officer from sustained duty.

“(b) Covered Officers.—(1) The authority under this section may be exercised in the case of an officer of the Space Force serving on sustained duty who—

“(A) has completed not more than six years of service as a commissioned officer in the armed forces; or

“(B) has completed more than six years of service as a commissioned officer in the armed forces, but has not completed the minimum service obligation applicable to that officer.
“(2) In this subsection, the term ‘minimum service obligation’, with respect to a member of the Space Force, means the initial period of required active duty service applicable to the member, together with any additional period of required active duty service incurred by that member during the member’s initial period of required active duty service.

“(c) REGULATIONS.—The Secretary of the Air Force shall prescribe regulations for the exercise of the Secretary’s authority under this section.”.

(b) CONFORMING AMENDMENTS.—Section 647 of title 10, United States Code, is amended—

(1) in subsection (b)(1), by inserting “(other than an officer of the Space Force)” after “in the case of an officer”; 

(2) in subsection (c), by striking “Regular Marine Corps, of Regular Space Force” and inserting “or Regular Marine Corps”; and 

(3) by adding at the end the following new subsection:

“(e) SPACE FORCE.—For a similar provision with respect to officers of the Space Force, see section 20405 of this title.”.
SEC. 1719. SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS.

Subtitle F of title 10, United States Code, as amended by section 1718, is further amended by adding at the end the following new chapter:

“CHAPTER 2011—SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS

“Sec.

“20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons.

“20502. Retention boards.

“20503. Removal of officer: action by secretary upon recommendation of retention board.

“20504. Rights and procedures.

“20505. Officer considered for removal: voluntary retirement or discharge.

“20506. Officers eligible to serve on retention boards.

“§ 20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons

“(a) Procedures for Review of Record of Officers Relating to Standards of Performance of Duty.—(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a Space Force active
status to determine whether the officer shall be required, because of a reason stated in paragraph (2), to show cause for the officer’s retention in a Space Force active status.

“(2) The reasons referred to in paragraph (1) are the following:

“(A) The officer’s performance of duty has fallen below standards prescribed by the Secretary of Defense.

“(B) The officer has failed to satisfy the standards and qualifications established under section 20403 of this title by the Secretary of the Air Force.

“(b) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO CERTAIN OTHER REASONS.—(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a Space Force active status to determine whether the officer should be required, because of a reason stated in paragraph (2), to show cause for the officer’s retention in a Space Force active status.

“(2) The reasons referred to in paragraph (1) are the following:

“(A) Misconduct.

“(B) Moral or professional dereliction.
“(C) The officer’s retention is not clearly consistent with the interests of national security.

“(c) Secretary of Defense Limitations.—Regulations prescribed by the Secretary of the Air Force under this section are subject to such limitations as the Secretary of Defense may prescribe.

§ 20502. Retention boards

“(a) Convening of Boards To Consider Officers Required To Show Cause.—The Secretary of the Air Force shall convene retention boards at such times and places as the Secretary may prescribe to receive evidence and make findings and recommendations as to whether an officer who is required under section 20501 of this title to show cause for retention in a Space Force active status should be retained in a Space Force active status. Each retention board shall be composed of not less than three officers having the qualifications prescribed by section 20506 of this title.

“(b) Fair and Impartial Hearing.—A retention board shall give a fair and impartial hearing to each officer required under section 20501 of this title to show cause for retention in a Space Force active status.

“(c) Effect of Board Determination That an Officer Has Failed To Establish That the Officer Should Be Retained.—(1) If a retention board de-
terminates that the officer has failed to establish that the
officer should be retained in a Space Force active status,
the board shall recommend to the Secretary of the Air
Force one of the following:

“(A) That the officer be transferred to an inac-
tive status.
“(B) That the officer, if qualified under any
provision of law, be retired.
“(C) That the officer be discharged from the
Space Force.
“(2) Under regulations prescribed by the Secretary
of the Air Force, an officer as to whom a retention board
makes a recommendation under paragraph (1) that the
officer not be retained in a Space Force active status may
be required to take leave pending the completion of the
officer’s case under this chapter. The officer may be re-
quired to begin such leave at any time following the offi-
cer’s receipt of the report of the retention board, including
the board’s recommendation for removal from a Space
Force active status, and the expiration of any period al-
lowed for submission by the officer of a rebuttal to that
report. The leave may be continued until the date on which
action by the Secretary of the Air Force on the officer’s
case is completed or may be terminated at any earlier
time.
(d) Effect of Board Determination That an Officer Has Established That the Officer Should Be Retained.—(1) If a retention board determines that the officer has established that the officer should be retained in a Space Force active status, the officer’s case is closed.

(2) An officer who is required to show cause for retention in a Space Force active status under subsection (a) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a Space Force active status may not again be required to show cause for retention in a Space Force active status under such subsection within the one-year period beginning on the date of that determination.

(3)(A) Subject to subparagraph (B), an officer who is required to show cause for retention in a Space Force active status under subsection (b) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a Space Force active status may again be required to show cause for retention at any time.

(B) An officer who has been required to show cause for retention in a Space Force active status under subsection (b) of section 20501 of this title and who is thereafter retained in an active status may not again be re-
required to show cause for retention in a Space Force active status under such subsection solely because of conduct which was the subject of the previous proceedings, unless the findings or recommendations of the retention board that considered the officer’s previous case are determined to have been obtained by fraud or collusion.

“(4) In the case of an officer described in paragraph (2) or paragraph (3)(A), the retention board may recommend that the officer be required to complete additional training, professional education, or such other developmental programs as may be available to correct any identified deficiencies and improve the officer’s performance within the Space Force.

“§ 20503. Removal of officer: action by Secretary upon recommendation of retention board

“The Secretary of the Air Force may remove an officer from Space Force active status if the removal of such officer from Space Force active status is recommended by a retention board convened under section 20502 of this title.

“§ 20504. Rights and procedures

“(a) In general.—Under regulations prescribed by the Secretary of the Air Force, each officer required under section 20501 of this title to show cause for retention in a Space Force active status—
“(1) shall be notified in writing, at least 30 days before the hearing of the officer’s case by a retention board, of the reasons for which the officer is being required to show cause for retention in a Space Force active status;

“(2) shall be allowed a reasonable time, as determined by the board, to prepare the officer’s showing of cause for retention in a Space Force active status;

“(3) shall be allowed to appear either in person or through electronic means and to be represented by counsel at proceedings before the board; and

“(4) shall be allowed full access to, and shall be furnished copies of, records relevant to the officer’s case, except that the board shall withhold any record that the Secretary determines should be withheld in the interest of national security.

“(b) SUMMARY OF RECORDS WITHHELD IN INTEREST OF NATIONAL SECURITY.—When a record is withheld under subsection (a)(4), the officer whose case is under consideration shall, to the extent that the interest of national security permits, be furnished a summary of the record so withheld.
§ 20505. Officer considered for removal: voluntary retirement or discharge

“(a) IN GENERAL.—At any time during proceedings under this chapter with respect to the removal of an officer from a Space Force active status, the Secretary of the Air Force may grant a request by the officer—

“(1) for voluntary retirement, if the officer is qualified for retirement; or

“(2) for discharge in accordance with subsection (b)(2).

“(b) RETIREMENT OR DISCHARGE.—An officer removed from a Space Force active status under section 20503 of this title shall—

“(1) if eligible for voluntary retirement under any provision of law on the date of such removal, be retired in the grade and with the retired pay for which the officer would be eligible if retired under such provision; and

“(2) if ineligible for voluntary retirement under any provision of law on the date of such removal—

“(A) be honorably discharged in the grade then held, in the case of an officer whose case was brought under subsection (a) of section 20501 of this title; or

“(B) be discharged in the grade then held, in the case of an officer whose case was brought
under subsection (b) of section 20501 of this title.

“(c) Separation Pay for Discharged Officer.—An officer who is discharged under subsection (b)(2) is entitled, if eligible therefor, to separation pay under section 1174(a)(2) of this title.

§ 20506. Officers eligible to serve on retention boards

“(a) In General.—The provisions of section 1187 of this title apply to the membership of boards convened under this chapter in the same manner as to the membership of boards convened under chapter 60 of this title.

“(b) Retired Air Force Officers.—

“(1) Authority.—In applying subsection (b) of section 1187 of this title to a board convened under this chapter, the Secretary of the Air Force may appoint retired officers of the Air Force, in addition to retired officers of the Space Force, to complete the membership of the board.

“(2) Limitation.—A retired officer of the Air Force may be appointed to a board under paragraph (1) only if the officer served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge
concerning the standards of performance and con-

SEC. 1720. RETIREMENT.

(a) IN GENERAL.—Subtitle F of title 10, United
States Code, as amended by section 1719, is further
amended by adding at the end the following new chapter:

“CHAPTER 2013—VOLUNTARY
RETIREMENT FOR LENGTH OF SERVICE

§ 20601. Officers: voluntary retirement for length of
service

“(a) TWENTY YEARS OR MORE.—The Secretary of
the Air Force may, upon the officer’s request, retire a
commissioned officer of the Space Force who has at least
20 years of service computed under section 20602 of this
title, at least 10 years of which have been active service
as a commissioned officer.

“(b) THIRTY YEARS OR MORE.—A commissioned of-

cicer of the Space Force who has at least 30 years of serv-

ice computed under section 20602 of this title may be re-
tired upon the officer’s request, in the discretion of the
President.
“(c) Forty Years or More.—Except as provided in section 20503 of this title, a commissioned officer of the Space Force who has at least 40 years of service computed under section 20602 of this title shall be retired upon the officer’s request.

§ 20602. Officers: computation of years of service for voluntary retirement

“(a) Years of Active Service.—For the purpose of determining whether an officer of the Space Force may be retired under section 20601 of this title, the officer’s years of service are computed by adding all active service in the armed forces.

“(b) Reference to Section Excluding Service During Certain Periods.—Section 972(b) of this title excludes from computation of an officer’s years of service for purposes of this section any time identified with respect to that officer under that section.

§ 20603. Enlisted members: voluntary retirement for length of service

“(a) Twenty to Thirty Years.—Under regulations to be prescribed by the Secretary of the Air Force, an enlisted member of the Space Force who has at least 20, but less than 30, years of service computed under section 20604 of this title may, upon the member’s request, be retired.
“(b) Thirty Years or More.—An enlisted member of the Space Force who has at least 30 years of service computed under section 20604 of this title shall be retired upon the member’s request.

§ 20604. Enlisted members: computation of years of service for voluntary retirement

“(a) Years of Active Service.—For the purpose of determining whether an enlisted member of the Space Force may be retired under section 20603 of this title, the member’s years of service are computed by adding all active service in the armed forces.

“(b) Reference to Section Excluding Counting of Certain Service Required To Be Made Up.—Time required to be made up under section 972(a) of this title may not be counted in computing years of service under subsection (a).

§ 20605. Applicability of other provisions of law relating to retirement

“(a) Applicability to Members of the Space Force.—Except as specifically provided for by this chapter, the provisions of this title specified in subsection (b) apply to members of the Space Force as follows:

“(1) Provisions pertaining to an officer of the Air Force shall apply to an officer of the Space Force.
“(2) Provisions pertaining to an enlisted member of the Air Force shall apply to an enlisted member of the Space Force.

“(3) Provisions pertaining to a regular officer shall apply to an officer who is on sustained duty in the Space Force.

“(4) Provisions pertaining to a regular enlisted member shall apply to an enlisted member who is on sustained duty in the Space Force.

“(5) Provisions pertaining to a reserve officer shall apply to an officer who is in a Space Force active status but not on sustained duty.

“(6) Provisions pertaining to a reserve enlisted member shall apply to an enlisted member who is in a Space Force active status but not on sustained duty.

“(7) Provisions pertaining to service in a regular component shall apply to service on sustained duty.

“(8) Provisions pertaining to service in a reserve component shall apply to service in a Space Force active status not on sustained duty.

“(9) Provisions pertaining to a member of the Ready Reserve shall apply to a member of the Space
Force who is in a Space Force active status prior to being ordered to active duty.

“(10) Provisions pertaining to a member of the Retired Reserve shall apply to a member of the Space Force who has retired under chapter 1223 of this title.

“(b) PROVISIONS OF LAW.—The provisions of this title referred to in subsection (a) are the following:

“(1) Chapter 61, relating to retirement or separation for physical disability.

“(2) Chapter 63, relating to retirement for age.

“(3) Chapter 69, relating to retired grade.

“(4) Chapter 71, relating to computation of retired pay.

“(5) Chapter 941, relating to retirement from the Air Force for length of service.

“(6) Chapter 945, relating to computation of retired pay.

“(7) Chapter 1223, relating to retired pay for non-regular service.

“(8) Chapter 1225, relating to retired grade.”.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 688(b) is amended—
(A) in paragraph (1), by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(B) by adding at the end the following new paragraph:

“(4) A retired member of the Space Force.”.

(2) RETIRED GRADE.—Section 9341 is amended—

(A) in subsection (a), by striking “or the Space Force” both places it appears;

(B) in subsection (b), by striking “or a Regular or Reserve of the Space Force”; and

(C) by adding at the end the following new subsection:

“(c) SPACE FORCE.—(1) The retired grade of a commissioned officer of the Space Force who retires other than for physical disability is determined under section 1370 or 1370a of this title, as applicable to the officer.

“(2) Unless entitled to a higher retired grade under some other provision of law, a member of the Space Force not covered by paragraph (1) who retires other than for physical disability retires in the grade that the member holds on the date of the member’s retirement.”.

(3) RETIRED GRADE OF ENLISTED MEMBERS AFTER 30 YEARS OF SERVICE.—Section 9344(b)(2)
is amended by striking “Regular” before “Space Force”.

(4) RETIRED LISTS.—Section 9346 is amended—

(A) in subsection (a), by striking “or the Regular Space Force” and inserting “and a separate retired list containing the name of each retired commissioned officer of the Space Force (other than an officer whose name is on the list maintained under subsection (b)(2))”;

(B) in subsection (b)—

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

(ii) by inserting“(1)” after“(b)”;

(iii) in subparagraph (A), as redesignated by clause (i), by striking“, or for commissioned officers of the Space Force other than of the Regular Space Force”;

(iv) in subparagraph (B), as so redesignated, by striking “or the Space Force”;

and

(v) by adding at the end the following new paragraph:
“(2) The Secretary shall maintain a retired list containing the name of—

“(A) each person entitled to retired pay who as a member of the Space Force qualified for retirement under section 20601 of this title; and

“(B) each retired warrant officer or enlisted member of the Space Force who is advanced to a commissioned grade.”;

(C) in subsection (c), by striking “or the Space Force” and inserting “and a separate retired list containing the name of each retired warrant officer of the Space Force”; and

(D) in subsection (d), by striking “or the Regular Space Force” and inserting “and a separate retired list containing the name of each retired enlisted member of the Space Force”.


Subtitle B—Conforming Amendments Related to Space Force Military Personnel System

SEC. 1731. AMENDMENTS TO DEPARTMENT OF THE AIR FORCE PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) PROVISIONS RELATING TO PERSONNEL.—Part II of subtitle D of title 10, United States Code, is amended as follows:

(1) GENDER-FREE BASIS FOR ACCEPTANCE OF ORIGINAL ENLISTMENTS.—

(A) Section 9132 is amended by striking “Regular” before “Space Force”.

(B) The heading of such section is amended by striking “REGULAR SPACE FORCE” and inserting “SPACE FORCE”.

(2) REENLISTMENT AFTER SERVICE AS AN OFFICER.—

(A) Section 9138(a) is amended by striking “Regular” before “Space Force” both places it appears.

(B) The heading of section 9138 is amended by striking “REGULAR SPACE FORCE” and inserting “SPACE FORCE”.
WARRANT OFFICERS: ORIGINAL APPOINTMENT; QUALIFICATIONS.—Section 9160 is amended by striking “Regular” before Space Force”.

SERVICE AS AN OFFICER TO BE COUNTED AS ENLISTED SERVICE.—Section 9252 is amended by striking “Regular” before “Space Force”.

CHAPTER HEADING.—

(A) The heading of chapter 915 is amended to read as follows:

“CHAPTER 915—APPOINTMENTS IN THE REGULAR AIR FORCE AND IN THE SPACE FORCE”.

(B) The tables of chapters at the beginning of subtitle D, and at the beginning of part II of subtitle D of such title, are each amended by striking the item relating to chapter 915 and inserting the following new item:

“915. Appointments in the Regular Air Force and in the Space Force 9151.”.

(b) PROVISIONS RELATING TO TRAINING GENERALLY.—Section 9401 of such title is amended—

(1) in subsection (b)—

(A) by striking “or the Regular Space Force” after “Regular Air Force”; and

(B) by inserting “or one of the Space Force in a Space Force active status not on sustained duty,” after “on the active-duty list,”;
(2) in subsection (c)—

(A) by striking “or Reserve of the Space Force” and inserting “or member of the Space Force in a Space Force active status not on sustained duty”; and

(B) by striking “the Reserve’s consent” and inserting “the member’s consent”; and

(3) in subsection (f)—

(A) by striking “the Regular Space Force” and inserting “of Space Force members on sustained duty”; and

(B) by striking “the Space Force Reserve” and inserting “of Space Force members in an active status not on sustained duty”.

(c) Provisions Relating to the Air Force Academy.—Chapter 953 of such title is amended as follows:

(1) Permanent Professors; Director of Admissions.—Section 9436 is amended—

(A) in subsection (a)—

(i) by striking “the equivalent grade in” both places it appears;

(ii) by inserting “or the Space Force” after “Regular Air Force” the first place it appears;
(iii) by striking “and a permanent” and all that follows through “in the Regular Air Force”; and

(B) in subsection (b)—

(i) by striking “the equivalent grade in” both places it appears and inserting “the grade of lieutenant colonel in”; and

(ii) by striking “Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force” and inserting “Space Force has the grade of colonel in the Space Force”.

(2) APPOINTMENT OF CADETS.—Section 9442(b) is amended—

(A) in paragraph (1)(C), by inserting “, or the Space Force,” after “members of reserve components”; and

(B) in paragraph (2), by striking “Regular” before “Space Force”.

(3) AGREEMENT OF CADETS TO SERVE AS OFFICERS.—Section 9448(a) is amended—

(A) in paragraph (2)(A), by striking “Regular” before “Space Force”; and

(B) in paragraph (3)—
(i) in the matter preceding subpara-
graph (A), by inserting “, or to terminate
the officer’s order to sustained duty in the
Space Force” after “resign as a regular of-

ficer”;

(ii) in subparagraph (A), by striking
“or as a Reserve in the Space Force for
service in the Space Force Reserve” and
inserting “or will accept further assign-
ment in a Space Force active status”; and

(iii) in subparagraph (B), by inserting
“, or the Space Force,” after “that reserve
component”.

(4) HAZING.—Section 9452(e) is amended by
striking “Marine Corps, or Space Force,” and in-
serting, “or Marine Corps, or in the Space Force,”.

(5) COMMISSION UPON GRADUATION.—Section
9453(b) is amended—

(A) by striking “or in the equivalent grade
in the Regular Space Force”; and

(B) by inserting before the period the fol-
lowing: “or a second lieutenant in the Space
Force under section 531 or 20201 of this title”.

(d) PROVISIONS RELATING TO SCHOOLS AND
CAMPS.—Chapter 957 of such title is amended as follows:
(1) PURPOSE.—Section 9481 is amended—

(A) by striking “to qualify them for appointment” and inserting “to qualify them for—

“(1) appointment”;

(B) by striking “or the Space Force Reserve.” and inserting “; or”; and

(C) by adding at the end the following new paragraph:

“(2) appointment as officers, or enlistment as noncommissioned officers, for service in the Space Force in a Space Force active status.”.

(2) OPERATION.—Section 9482(4) is amended by striking “or the Regular Space Force” and inserting “or members of the Space Force in an active status”.

SEC. 1732. AMENDMENTS TO SUBTITLE A OF TITLE 10, UNITED STATES CODE.

(a) PROVISIONS RELATING TO ORGANIZATION AND GENERAL MILITARY POWERS.—Part I of subtitle A of title 10, United States Code, is amended as follows:

(1) ANNUAL DEFENSE MANPOWER REPORT.—Section 115a(d)(3)(F) is amended by inserting before the period the following: “or, in the case of the
Space Force, officers ordered to active duty other than under section 20105(b) of this title”.

(2) Suspension of end-strength and other strength limitations in time of war or national emergency.—Section 123a(a)(2) is amended by inserting “or the Space Force” after “a reserve component”.

(3) Deputy commander of USNORTHCOM.—Section 164(e)(4) is amended—

(A) by inserting “(A)” after “(4)”;

(B) by striking “shall be a” and all that follows through the period at the end and inserting “shall be—

“(i) a qualified officer of a reserve component who is eligible for promotion to the grade of lieutenant general or, in the case of the Navy, vice admiral; or

“(ii) a qualified officer of the Space Force whose prior service includes service in a Space Force active status other than sustained duty and who is eligible for promotion to the grade of lieutenant general.”; and

(C) by adding at the end the following new subparagraph:
“(B) The requirement in subparagraph (A) does not apply when the officer serving as commander of the combatant command described in that subparagraph is—

“(i) a reserve component officer; or

“(ii) an officer of the Space Force whose prior service includes service in a Space Force active status other than sustained duty.”.

(4) Readiness reports.—Section 482(a) is amended by inserting “and the Space Force” after “active and reserve components” both places it appears.

(b) DOPMA officer personnel provisions.—Chapter 36 of such title is amended as follows:

(1) Nondisclosure of board proceedings.—Section 613a is amended by striking “573, 611, or 628” both places it appears and inserting “573, 611, 628, or 20211”.

(2) Information furnished to selection boards.—Section 615(a) is amended—

(A) in paragraph (1), by inserting “or 20211” after “section 611(a)”;

(B) in paragraph (3)—
(i) in subparagraph (B)(i), by striking “regular officer” and all that follows through the period at the end and inserting “regular officer or an officer in the Space Force, a grade above captain or, in the case of the Navy, lieutenant.”; and

(ii) in subparagraph (D)—

(I) by striking “major general,” and inserting “major general or”; and

(II) by striking “or, in the case of the Space Force, the equivalent grade,”.

(3) Eligibility for consideration for promotion: time-in-grade and other requirements.—Section 619(a) is amended by striking “Marine Corps, or Space Force” each place it appears and inserting “or Marine Corps”.

(4) Authority to vacate promotions to grades of brigadier general and rear admiral (lower half).—Section 625(b) is amended—

(A) by striking “Marine Corps, or Space Force” and inserting “or Marine Corps”; and

(B) by adding at the end the following new sentence: “An officer of the Space Force whose
promotion is vacated under this section holds
the grade of colonel.”.

(5) **Acceptance of promotions; oath of office.**—Section 626 is amended by striking “section 624” both places it appears and inserting “section 624 or 20241”.

(6) **Special selection review board.**—Section 628a is amended—
(A) in subsection (a)(1)(A)—
   (i) by striking “major general,” and
   inserting “major general or”; and
   (ii) by striking “, or an equivalent
   grade in the Space Force”; 
(B) in subsection (e)(2), by adding at the end the following new sentence: “However, in the case of an officer on the Space Force officer list, the provisions of section 618 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to report and proceedings of a promotion board convened under section 20211 of this title.”; and
(C) in subsection (f)(1), by adding at the end the following new sentence: “However, if the report of a special selection review board
convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of an officer on the Space Force officer list who was referred to it for review under this section, and the President approves the report, the officer shall, as soon as practicable, be appointed to the grade in accordance with subsections (b) and (c) of section 20241 of this title.”.

(7) Removal from List of Officers Recommended for Promotion.—Section 629 is amended—

(A) in subsection (b), by inserting “or 20241(c)” after “section 624(c)” ; and

(B) in subsection (e)—

(i) by inserting “or 20241(a)” after “section 624(a)” both places it appears;

and

(ii) by inserting “or 20241(c)” after “section 624(c)” both places it appears.

(8) Retirement for Years of Service.—

(A) Lieutenant Colonels.—Section 633(a) is amended—

(i) by inserting “(1)” before “Except as”;
(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(iii) by adding at the end the following new paragraph:

“(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of lieutenant colonel who is not on a list of officers recommended for promotion to the grade of colonel shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 28 years of active commissioned service.”.

(B) COLONELS.—Section 634(a) is amended—

(i) by inserting “(1)” before “Except as”;

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(iii) by adding at the end the following new paragraph:

“(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of colonel who is not on a list of officers recommended for promotion to the grade of brigadier general
shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 30 years of active commissioned service.”.

(C) Brigadier generals.—Section 635 is amended—

(i) by inserting “(a) Army, Navy, Air Force, and Marine Corps” before “Except as”;

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(iii) by adding at the end the following new subsection:

“(b) Space Force.—Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of brigadier general who is not on a list of officers recommended for promotion to the grade of major general shall, if not earlier retired, be retired as specified in subsection (a).”.

(D) Officers in grades above brigadier general.—Section 636(a) is amended—

(i) by inserting “(1)” before “Except as”;
(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(iii) by adding at the end the following new paragraph:

“(2) Except as provided in subsection (b) or (c) and under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of major general shall, if not earlier retired, be retired as specified in paragraph (1).”.

(E) Section headings.—

(i) The heading of section 633 is amended by striking “LIEUTENANT COLONELS AND” and inserting “AND SPACE FORCE LIEUTENANT COLONELS; REGULAR NAVY”.

(ii) The heading of section 634 is amended by striking “COLONELS AND” and inserting “AND SPACE FORCE COLONELS; REGULAR”.

(iii) The heading of section 635 is amended by striking “BRIGADIER GENERALS AND” and inserting “AND SPACE FORCE BRIGADIER GENERALS; REGULAR NAVY”.
(iv) The heading of section 636 is amended by striking “OFFICERS IN GRADES ABOVE BRIGADIER GENERAL AND” and inserting “AND SPACE FORCE OFFICERS IN GRADES ABOVE BRIGADIER GENERAL; REGULAR NAVY OFFICERS IN GRADES ABOVE”.

(c) MANAGEMENT POLICIES FOR JOINT QUALIFIED OFFICERS.—Section 661(a) of such title is amended—

(1) by striking “Marine Corps, and Space Force” and inserting “and Marine Corps”; and

(2) by inserting “, and officers of the Space Force on the Space Force officer list,” after “active-duty list”.

(d) LEAVE.—Chapter 40 of such title is amended as follows:

(1) ENTITLEMENT AND ACCUMULATION.—Section 701 is amended—

(A) in subsection (h)—

(i) by inserting at the end of paragraph (2) the following new subparagraph:

“(D) A member of the Space Force in a Space Force active status on sustained duty or subject to a call or order to active duty for a period in excess of 12 months.”; and
(ii) in paragraphs (5)(B) and (6), by inserting “, or of the Space Force,” after “member of a reserve component”; and

(B) in subsection (i), by inserting “, or of the Space Force,” after “member of a reserve component”.

(2) Payment upon disapproval of certain board of inquiry recommendations for excess leave required to be taken.—Section 707a(a)(1) is amended by inserting “or 20503” after “section 1182(c)(2)”.

(3) Career flexibility to enhance retention of members.—Section 710 is amended—

(A) in subsection (a), by inserting “or of the Space Force” after “regular components”;

(B) in subsection (b)(2), by inserting “, or a Space Force officer in a Space Force active status not on active duty under section 20105(b) of this title,” after “officer”;

(C) in subsection (c)(1), by inserting before the period at the end the following: “or, in the case of a member of the Space Force on sustained duty, to accept release from sustained duty orders and to serve in a Space Force active status”; and
(D) in subsection (g)(1)(A), by striking “chapter 36 or 1405” and inserting “chapter 36, 1405, or 2005”.

(e) Limitation on Number of Officers Who May Be Frosted to a Higher Grade.—Section 777(d)(2) of such title is amended by inserting “, or for the Space Force, the Space Force officer list,” after “active-duty list”.

(f) Uniform Code of Military Justice.—Chapter 47 of such title (the Uniform Code of Military Justice), is amended as follows:

(1) Persons Subject to UCMJ.—Section 802 (article 2) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting “and members of the Space Force on active duty under section 20105 of this title,” after “regular component of the armed forces,”;

(ii) in paragraph (3)(A)(i), by inserting “or the Space Force” after “reserve component”;

(iii) in paragraph (5), by inserting “, or retired members of the Space Force who qualified for a non-regular retirement and
are receiving retired pay,” after “a reserve component”; and

(iv) by adding at the end the following new paragraph:

“(14) Retired members of the Space Force who qualified for a regular retirement under section 20603 of this title and are receiving retired pay.”; and

(B) in subsection (d)—

(i) in paragraph (1), by inserting “or the Space Force” after “reserve component”; 

(ii) in paragraph (2), by inserting “or the Space Force” after “a reserve component”; and 

(iii) in paragraph (4), by inserting “or the Space Force” after “in a regular component of the armed forces”.

(2) JURISDICTION TO TRY CERTAIN PERSONNEL.—Subsection (d) of section 803 (article 3) is amended by inserting, “or the Space Force” after “reserve component”.

(3) ARTICLES TO BE EXPLAINED.—Section 937 (article 137) is amended—

(A) in subsection (a)(1)—
(i) by striking “or” at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting “; or”;

and

(iii) by adding at the end the following new subparagraph:

“(C) the member’s initial entrance on active duty or into a Space Force active status.”;

(B) in subsection (a)(2)—

(i) by striking “and” at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

“(B) after a member of Space Force has completed six months of sustained duty or in the case of a member not on sustained duty, after the member has completed basic or recruit training; and”;

(C) in subsection (b)(1)(B), by inserting “or the Space Force” after “in a reserve component”; and
(D) in subsection (d)(1), by striking “or to a member of a reserve component,” and inserting “; to a member of a reserve component, or to a member of the Space Force.”.

(g) Restriction on Performance of Civil Functions by Officers on Active Duty.—Section 973(b)(1) of such title 10 is amended—

(1) by striking “and” at the end of subparagraph (B); and

(2) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) to an officer on the Space Force officer list serving on active duty under section 20105(b) of this title or under a call or order to active duty for a period in excess of 270 days.”.

(h) Use of Commissary Stores and Mwr Retail Facilities.—Section 1063 of such title is amended—

(1) in subsection (c)—

(A) in the heading, by inserting “AND SPACE FORCE” after “RESERVE”; and

(B) by inserting “or the Space Force” after “reserve component”;
(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(3) by inserting after subsection (c) the following new subsection (d): “(d) Members of the Space Force.—A member of the Space Force in a Space Force active status who is not on sustained duty shall be permitted to use commissary stores and MWR retail facilities under the same conditions as specified in subsection (a) for a member of the Selected Reserve.”; and

(4) in subsection (e), as redesignated by paragraph (2), by striking “subsection (a) or (b)” in paragraph (1) and inserting “subsection (a), (b), or (d)”.

(i) Members Involuntary Separated.—

(1) Eligibility for Certain Benefits and Services.—Section 1141 of such title is amended—

(A) by striking “and” at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(5) in the case of an officer of the Space Force (other than a retired officer), the officer is in-
voluntarily discharged or released from active duty
under other than adverse conditions, as character-
ized by the Secretary of the Air Force; and
“(6) in the case of an enlisted member of the
Space Force, the member is—
“(A) denied reenlistment; or
“(B) involuntarily discharged or released
from active duty under other than adverse con-
ditions, as characterized by the Secretary of the
Air Force.”.

(2) SEPARATION PAY.—Section 1174(a)(2) of
such title is amended by striking “, Marine Corps,
or Space Force” both places it appears and inserting
“or Marine Corps”.

(j) BOARDS FOR THE CORRECTION OF MILITARY
RECORDS.—Chapter 79 of such title is amended as fol-
lows:

(1) REVIEW OF ACTIONS OF SELECTION
BOARDS AND CORRECTION OF MILITARY RECORDS.—
Section 1558 is amended—
(A) inserting “, or the Space Force,” after
“reserve component” each place it appears; and
(B) in subsection (b)—
(i) in paragraph (1)(C), by striking “section 628 or 14502” and inserting “section 628, 14502, or 20252”; 
(ii) in paragraph (2)(A), by striking “or 14705” and inserting “14507, or 20403”; and 
(iii) in paragraph (2)(B)(i), by striking “or 14101(a)” and inserting “14101(a), or 20211”.

(2) Title of Air Force Service Review Agency.—

(A) Sections 1555(e)(3) and 1557(f)(3) are amended by inserting “the Department of” after “Air Force,”.

(B) Section 1556(a) is amended by inserting “the Department of” after “the Army Review Boards Agency,”.

(C) Section 1559(e)(3) is amended by inserting “the Department of” after “Air Force,”.

(k) Military Family Programs.—Chapter 88 of such title is amended as follows:

(1) Members of Department of Defense Military Readiness Council.—Section 1781a(b)(1)(B)(iii) is amended—
(A) by striking “member and” and inserting “member,”; and

(B) by inserting “, and one of whom shall be the spouse or parent of a member of the Space Force” after “parent of a reserve component member”.

(2) Department of Defense Policy and Plans for Military Family Readiness.—Section 1781b is amended—

(A) in subsection (b)(3), by striking “military families of members of the regular components and military families of members of the reserve components” and inserting “military families of members of the regular components, the reserve components, and the Space Force”;

and

(B) in subsection (c)(2)—

(i) by striking “both”; and

(ii) by striking “military families of members of the regular components and military families of members of the reserve components” and inserting “military families of members of the regular components, members of the reserve components, and members of the Space Force”.

(l) Training and Education Programs.—

(1) Payment of tuition for off-duty training or education.—Section 2007 of such title is amended by adding at the end the following new subsection:

“(g) The provisions of this section pertaining to members of the Ready Reserve, the Selected Reserve, or the Individual Ready Reserve also apply to members of the Space Force in a Space Force active status who are not on active duty.”.

(2) ROTC financial assistant program for specially selected members.—Section 2107 of such title is amended—

(A) in subsection (a)—

(i) by striking “Navy,” and inserting “Navy or”; and

(ii) by striking “Marine Corps, or as an officer in the equivalent grade in the Space Force” and inserting “or Marine Corps”; and

(B) by adding at the end the following new subsection:

“(k) Applicability to Space Force.—(1) Provisions of this section referring to a regular commission, regular officer, or a commission in a regular component
shall be treated as also referring to the commission of an
officer, or an officer, who is a commissioned officer in the
Space Force serving on active duty pursuant to section 20105(b) of this title.

“(2) Provisions of this section referring to a reserve
commission, reserve officer, or a commission in a reserve
component shall be treated as also referring to the com-
mission of an officer, or an officer, who is a commissioned
officer in the Space Force not serving on active duty pur-
suant to section 20105(b) of this title.”.

(3) DUTY AS ROTC ADMINISTRATORS AND IN-
STRUCTORS.—Section 2111 of such title is amended
by adding at the end the following new sentence:
“The Secretary of the Air Force may detail mem-
ers of the Space Force in the same manner as reg-
ular and reserve members of the Air Force.”.

SEC. 1733. TITLE 38, UNITED STATES CODE (VETERANS’
BENEFITS).

(a) DEFINITIONS.—

(1) GENERAL DEFINITIONS.—Section 101 of
title 38, United States Code, is amended—

(A) in paragraph (23), by inserting ‘‘, or
for members of the Space Force in a Space
Force active status (as defined in section
101(e)(1) of title 10),’’ after ‘‘(including com-
missioned officers of the Reserve Corps of the Public Health Service)” both places it appears; and

(B) in paragraph (27)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (E), (F), and (G), respectively.

(2) Definitions for purposes of SGLI.—

Section 1965 of such title is amended—

(A) in paragraph (2)(A), by inserting “, or by members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10) but not on sustained duty under section 20105 of title 10,” after “for Reserves”; and

(B) in paragraph (3)(A), by inserting “, or for members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10),” after “(including commissioned officers of the Reserve Corps of the Public Health Service)”.

(b) Persons Eligible for Interment in National Cemeteries.—Section 2402(a) of such title is amended in paragraph (2), by inserting “any member of
the Space Force,” after “a Reserve component of the Armed Forces,”.

(c) Educational Assistance.—

(1) Montgomery GI Bill.—Section 3011(a)(3)(D) of such title is amended by inserting “or for further service in the Space Force in a Space Force active status not on sustained duty under section 20105 of title 10” after “of the Armed Forces,”.

(2) Post 9-11 GI Bill.—Section 3311(c)(3) of such title is amended by inserting “, or for further service in the Space Force in a Space Force active status not on sustained duty under section 20105 of title 10,” after “of the Armed Forces” the second place it appears.

Subtitle C—Transition Provisions

Sec. 1741. Transition Period.

In this subtitle, the term “transition period” means the period beginning on the date of the enactment of this Act and ending on the last day of the fourth fiscal year beginning after the date of the enactment of this Act.


(a) Change of Duty Status.—
1. **Conversion of status and order to sustained duty.**—During the transition period, the Secretary of the Air Force shall change the duty status of each member of the Regular Space Force to Space Force active status and shall, at the same time, order the member to sustained duty under section 20105 of title 10, United States Code, as added by section 1715 of this Act. Any such order may be made without regard to any otherwise applicable requirement that such an order be made only with the consent of the member or as specified in an enlistment agreement or active-duty service commitment.

2. **Definitions.**—For purposes of this section, the terms “Space Force active status” and “sustained duty” have the meanings given those terms by subsection (e) of section 101 of title 10, United States Code, as added by section 1713(a).

3. **Effective date of change of duty status.**—The change of a member’s duty status and order to sustained duty in accordance with subsection (a) shall be effective on the date specified by the Secretary of the Air Force, but not later than the last day of the transition period.
SEC. 1743. TRANSFER TO THE SPACE FORCE OF MEMBERS OF THE AIR FORCE RESERVE AND THE AIR NATIONAL GUARD.

(a) Transfer of Members of the Air Force Reserve.—

(1) Officers.—During the transition period, the Secretary of Defense may, with the officer’s consent, transfer a covered officer of the Air Force Reserve or the Air National Guard to, and appoint the officer in, the Space Force.

(2) Enlisted Members.—During the transition period, the Secretary of the Air Force may transfer each covered enlisted member of the Air Force Reserve or the Air National Guard to the Space Force, other than those members who do not consent to the transfer.

(3) Effective Date of Transfers.—Each transfer under this subsection shall be effective on the date specified by the Secretary of Defense, in the case of an officer, or the Secretary of the Air Force, in the case of an enlisted member, but not later than the last day of the transition period.

(b) Regulations.—Transfers under subsection (a) shall be carried out under regulations prescribed by the Secretary of Defense. In the case of an officer, applicable
regulations shall include those prescribed pursuant to section 716 of title 10, United States Code.

(c) **Term of Initial Enlistment in Space Force.**—In the case of a covered enlisted member who is transferred to the Space Force in accordance with subsection (a), the Secretary of the Air Force may accept the initial enlistment of the member in the Space Force for a period of less than 2 years, but only if the period of enlistment in the Space Force is not less than the period remaining, as of the date of the transfer, in the member’s term of enlistment in the Air Force Reserve.

(d) **End Strength Adjustments Upon Transfers From Air Force Reserve or Air National Guard to Space Force.**—During the transition period, upon the transfer of a mission of the Air Force Reserve or the Air National Guard to the Space Force—

(1) the end strength authorized for the Space Force pursuant to section 115(a)(1)(A) of title 10, United States Code, for the fiscal year during which the transfer occurs shall be increased by the number of billets associated with that mission; and

(2) the end strength authorized for the Air Force Reserve and the Air National Guard pursuant to section 115(a)(2) of such title for such fiscal year shall be decreased by the same number.
(c) Administrative Provisions.—For purposes of the transfer of covered members of the Air Force Reserve in accordance with subsection (a)—

(1) the Air Force Reserve, the Air National Guard, and the Space Force shall be considered to be components of the same Armed Force; and

(2) the Space Force officer list shall be considered to be an active-duty list of an Armed Force.

(f) Retraining and Reassignment for Members Not Transferring.—If a covered member of the Air Force Reserve or the Air National Guard does not consent to transfer to the Space Force in accordance with subsection (a), the Secretary of the Air Force may, as determined appropriate by the Secretary in the case of the individual member, provide the member retraining and reassignment within the Air Force Reserve.

(g) Covered Members.—For purposes of this section, the term “covered”, with respect to a member of the Air Force Reserve or the Air National Guard, means—

(1) a member who as of the date of the enactment of this Act holds an Air Force specialty code for a specialty held by members of the Space Force; and
(2) any other member designated by the Secretary of the Air Force for the purposes of this section.

SEC. 1744. PLACEMENT OF OFFICERS ON THE SPACE FORCE OFFICER LIST.

(a) Placement on List.—Officers of the Space Force whose duty status is changed in accordance with section 1742, and officers of the Air Force Reserve or the Air National Guard who transfer to the Space Force in accordance with section 1743, shall be placed on the Space Force officer list in an order determined by their respective grades and dates of rank.

(b) Officers of Same Grade and Date of Rank.—Among officers of the same grade and date of rank, placement on the Space Force officer list shall be in the order of their rank as determined in accordance with section 741(c) of title 10, United States Code.

SEC. 1745. DIESTABLISHMENT OF REGULAR SPACE FORCE.

(a) Disestablishment.—The Secretary of the Air Force shall disestablish the Regular Space Force not later than the end of the transition period, once there are no longer any members remaining in the Regular Space Force. The Regular Space Force shall be disestablished upon the completion of the change of duty status of all
members of the Space Force pursuant to section 1742 and certification by the Secretary of the Air Force to the congressional defense committees that there are no longer any members of the Regular Space Force.

(b) Publication of Notice in Federal Register.—The Secretary shall publish in the Federal Register notice of the disestablishment of the Regular Space Force, including the date thereof, together with any certification submitted pursuant to subsection (a).

(c) Conforming Repeal.—

(1) Repeal.—Section 9085 of title 10, United States Code, relating to the composition of the Regular Space Force, is repealed.

(2) Effective Date.—The amendment made by this subsection shall take effect on the date on which the certification is submitted under subsection (a).

SEC. 1746. END STRENGTH FLEXIBILITY.

(a) Additional Authority To Vary End Strengths.—

(1) Authority.—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary
may vary the end strength authorized by Congress for a fiscal year as follows:

(A) Increase the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(B) Decrease the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(2) TERMINATION.—The authority provided under paragraph (1) shall terminate on the last day of the transition period.

(b) TEMPORARY EXEMPTION FOR THE SPACE FORCE FROM END STRENGTH GRADE RESTRICTIONS.—Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force during the transition period.

SEC. 1747. PROMOTION AUTHORITY FLEXIBILITY.

(a) PROMOTION AUTHORITY FLEXIBILITY.—During the transition period, the Secretary of the Air Force may convene selection boards to consider officers on the Space Force officer list for promotion, and may promote Space Force officers selected by such boards, in accordance with
any of the following provisions of title 10, United States Code:

(1) Chapter 36.

(2) Part III of subtitle E.

(3) Chapter 2005, as added by section 1716.

(b) COORDINATION OF PROVISIONS.—(1) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with chapter 36 of such title—

(A) provisions that apply to an officer of a regular component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the Space Force officer list shall be considered to be an active-duty list.

(2) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with part III of subtitle E of such title—

(A) provisions that apply to an officer of a reserve component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the Space Force officer list shall be considered to be a reserve active-status list.

(3) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for
promotion in accordance with either chapter 36 or part III of subtitle E of such title—

(A) section 20213 of such title, as added by section 1716 if this Act, shall apply to the composition of the selection board;

(B) the provisions of chapter 2005 of such title, as added by such section 1716, regarding officers on the Space Force officer list eligible to be considered for promotion to the grade of brigadier general or major general shall apply;

(C) section 20216 of such title, as so added, shall apply; and

(D) the provisions of chapter 36 or part III of subtitle E of such title, as the case may be, regarding failure of selection for promotion shall apply.

(e) Effect of Using New Chapter 2005 Authorities.—If the Secretary of the Air Force convenes a selection board under chapter 2005 of title 10, United States Code, as added by section 1716, to consider officers on the Space Force officer list in a particular grade and competitive category for selection for promotion to the next higher grade, the Secretary may not convene a future selection board pursuant to subsection (a) to consider officers of the same grade and competitive category under chapter 36 or part III of subtitle E of such title.
Subtitle D—Other Amendments
Related to the Space Force

SEC. 1751. TITLE 10, UNITED STATES CODE.

(a) Amendments Relating to the Designation of Grades for Space Force Officers.—Title 10, United States Code, is amended as follows:

(1) Commissioned Officer Grades.—Section 9151 is amended by inserting “and in the Space Force” after “in the Regular Air Force”.

(2) Rank.—Section 741(a) is amended in the table by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”.

(3) Definition of General Officer.—Section 101(b)(4) is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(4) Temporary Appointments to Positions Designated to Carry the Grade of General or Lieutenant General.—Section 601(e) is amended—

(A) by striking “or Marine Corps,” and inserting “Marine Corps, or Space Force or”; and

(B) by striking “or the commensurate grades in the Space Force,”. 
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(5) RETIRED GRADE OF OFFICERS.—Section 1370 is amended as follows:

(A) Subsection (a)(2) is amended by striking “rear admiral in the Navy, or the equivalent grade in the Space Force” both places it appears and inserting “or rear admiral in the Navy”.

(B) Subsection (b) is amended —

(i) in paragraph (1)—

(I) by striking “or Marine Corps” and all that follows through “the Space Force,” and inserting “Marine Corps, or Space Force or lieutenant in the Navy,”; and

(II) in subparagraph (B), by striking “major general” and all that follows through “Space Force” and inserting “major general or rear admiral”;

(ii) in paragraph (4), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or captain in the Navy,”;

(iii) in paragraph (5)—
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(I) in subparagraph (A), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or lieutenant commander in the Navy,”;

(II) in subparagraph (B), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or commander or captain in the Navy,”; and

(III) in subparagraph (C), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or rear admiral (lower half) or rear admiral in the Navy,”;

and

(iv) in paragraph (6), by striking “, or an equivalent grade in the Space Force,”.

(C) Subsection (c)(1) is amended by striking “or Marine Corps” and all that follows through “Space Force” and inserting “Marine
Corps, or Space Force or vice admiral or admiral in the Navy”.

(D) Subsection (d) is amended—

(i) in paragraph (1), by striking “or Marine Corps” and all that follows through “Space Force” and inserting “Marine Corps, or Space Force or rear admiral in the Navy”; and

(ii) in paragraph (3), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or captain in the Navy,”.

(E) Subsection (e)(2) is amended by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or vice admiral or admiral in the Navy,”.

(F) Subsection (f) is amended —

(i) in paragraph (3)—

(I) in subparagraph (A), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space
Force or rear admiral in the Navy”; and

(II) in subparagraph (B), by striking “or Marine Corps” and all that follows through “Space Force” and inserting “Marine Corps, or Space Force or vice admiral or admiral in the Navy”; and

(ii) in paragraph (6)—

(I) in subparagraph (A), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or rear admiral in the Navy”; and

(II) in subparagraph (B), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or vice admiral or admiral in the Navy”.

(6) HONORARY PROMOTIONS.—Sections 1563(c)(1) and 1563a(a)(1) are each amended—

(A) by striking “general,” and inserting “general or”; and
(B) by striking "", or an equivalent grade in the Space Force".

(7) AIR FORCE INSPECTOR GENERAL.—Section 9020(a) is amended by striking "the general, flag, or equivalent officers of".

(b) OTHER TITLE 10 AMENDMENTS.—Such title is further amended as follows:

(1) LIMITATION ON NUMBER OF RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 690(a) is amended by striking "or Marine Corps," and inserting "Marine Corps, or Space Force, ".

(2) THE UNIFORM.—Section 772(i) is amended—

(A) by striking "an Air Force School" and inserting "an Air Force or Space Force school";

and

(B) by striking "aviation badges of the Air Force" and inserting "aviation or space badges of the Air Force or Space Force".

(3) MEMBERSHIP IN MILITARY UNIONS, ORGANIZING OF MILITARY UNIONS, AND RECOGNITION OF MILITARY UNIONS PROHIBITED.—Section 976(a)(1)(C) is amended by inserting "or the Space Force" after "member of a Reserve component".
(4) LIMITATION ON ENLISTED AIDES.—Section 981 is amended—

(A) in subsection (a), by striking “Marine Corps, Air Force,” and inserting “Air Force, Marine Corps, Space Force,”;

(B) in subsection (b), by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”; and

(C) in subsection (e)(1), by inserting “Space Force,” after “Marine Corps,”.

(5) DEFINITION OF VETERAN FOR PURPOSES OF FUNERAL HONORS.—Section 1491(h)(1) is amended by striking “or air service” and inserting “air, or space service”.

(6) HOUSING FOR RECRUITS.—Section 9419(d) is amended by inserting “or the Space Force” after “training program of the Air Force”.

(7) CHARTER OF CHIEF OF SPACE OPERATIONS.—Section 9082 is amended as follows:

(A) CROSS-REFERENCE CORRECTION.—

Subsection (d)(5) is amended by striking “sections” and all that follows through “of law” and inserting “sections 171 and 3104 of this title and other provisions of law”.
(B) Elapsed-time provision.—Subsection (e)(1) is amended by striking “Commencing” and all that follows through “the Chief” and inserting “The Chief”.

SEC. 1752. OTHER PROVISIONS OF LAW.

(a) Trade Act of 1974.—Section 233(i)(1) of the Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by inserting “, or a member of the Space Force,” after “a member of a reserve component of the Armed Forces”.

(b) Title 28, United States Code (Judiciary and Judicial Procedure).—Section 631(c) of title 28, United States Code is amended by inserting “, members of the Space Force” before “, and members of the Army National Guard”.

(c) Servicemembers Civil Relief Act.—The Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended as follows:

(1) Definition of military service.—Section 101(2)(A) (50 U.S.C. 3911(2)(A)) is amended by inserting “Space Force,” after “Marine Corps,”.

(2) Same rights and protections as reserves ordered to report for military service.—Section 106 (50 U.S.C. 3917) is amended by adding at the end the following new subsection:
“(c) Treatment of Members of Space Force.—

The provisions of subsection (a) apply to a member of the Space Force who is ordered to report for military service in the same manner as to a member of a reserve component who is ordered to report for military service.”.

(3) Exercise of rights under SCRA.—Section 108(5) (50 U.S.C. 3919(5)) is amended by inserting “or as a member of the Space Force” before the period at the end.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2024”.


(a) Expiration of Authorizations After Three Years.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program
(and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2026; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2027.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2026; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2027 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of this Act.
TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Redstone Arsenal</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Eisenhower</td>
<td>$163,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Aliamanu Military Reservation</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Shafter</td>
<td>$23,000,000</td>
</tr>
<tr>
<td></td>
<td>Helemano Military Reservation</td>
<td>$33,000,000</td>
</tr>
<tr>
<td></td>
<td>Schofield Barracks</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>$105,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Fort Johnson</td>
<td>$13,400,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Soldier Systems Center Natick</td>
<td>$18,500,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Detroit Arsenal</td>
<td>$72,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Liberty</td>
<td>$154,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Letterkenny Army Depot</td>
<td>$89,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$74,000,000</td>
</tr>
<tr>
<td></td>
<td>Red River Army Depot</td>
<td>$113,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$100,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified
in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

### Army: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td></td>
<td>$10,400,000</td>
</tr>
<tr>
<td></td>
<td>Grafenwoehr</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hohenfels</td>
<td>$56,000,000</td>
</tr>
</tbody>
</table>

(c) Prototype Project.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Army may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

### Army Prototype Project

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>Fort Liberty</td>
<td>$85,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) Construction and Acquisition.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military
family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany .....</td>
<td>Baumholder ..................</td>
<td>Family Housing</td>
<td>$78,746,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New Construction .............</td>
<td></td>
</tr>
<tr>
<td>Kwajalein ..</td>
<td>Kwajalein Atoll ............</td>
<td>Family Housing</td>
<td>$98,600,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Replacement Construction ...</td>
<td></td>
</tr>
</tbody>
</table>

(b) Improvements to Military Family Housing Units.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $100,000,000.

c) Planning and Design.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities
with respect to the construction or improvement of family
housing units in an amount not to exceed $27,549,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) Authorization of Appropriations.—Funds
are hereby authorized to be appropriated for fiscal years
beginning after September 30, 2023, for military con-
struction, land acquisition, and military family housing
functions of the Department of the Army as specified in
the funding table in section 4601.

(b) Limitation on Total Cost of Construction
Projects.—Notwithstanding the cost variations author-
ized by section 2853 of title 10, United States Code, and
any other cost variation authorized by law, the total cost
of all projects carried out under section 2101 of this Act
may not exceed the total amount authorized to be appro-
priated under subsection (a), as specified in the funding
table in section 4601.

SEC. 2104. EXTENSION OF AUTHORITY TO USE CASH PAY-
MENTS IN SPECIAL ACCOUNT FROM LAND
CONVEYANCE, NATICK SOLDIER SYSTEMS
CENTER, MASSACHUSETTS.

Section 2844(c)(2)(C) of the Military Construction
Authorization Act for Fiscal Year 2018 (division B of
Public Law 115–91; 131 Stat. 1865) is amended by strik-
ing “October 1, 2025” and inserting “October 1, 2027”.

SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT KUNSAN AIR BASE, KOREA.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (b), as provided in section 2101(b) of that Act (131 Stat. 1819) and extended and modified by subsections (a) and (b) of section 2106 of the Military Construction Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Kunsan Air Base</td>
<td>Unmanned Aerial Vehicle Hangar</td>
<td>$53,000,000</td>
</tr>
</tbody>
</table>

SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) Army Construction and Land Acquisition.—
(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2101 of that Act (132 Stat. 2241), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) Table.—The table referred to in paragraph (1) is as follows:

**Army: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Camp Tango ...............</td>
<td>Command and Control Facility ....</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade ...............</td>
<td>Cantonment Area Roads ............</td>
<td>$16,500,000</td>
</tr>
</tbody>
</table>

(b) Overseas Contingency Operations.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2901 of that Act (132 Stat. 2286), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
2 (2) **TABLE.**—The table referred to in paragraph (1) is as follows:

**Army: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgaria .......</td>
<td>Nevo Selo FOS ............</td>
<td>EDI: Ammunition Holding Area ........</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>Romania .......</td>
<td>Mihail Kogalniceanu FOS .........................</td>
<td>EDI: Explosives &amp; Ammo Load/Unload Apron. ..........</td>
<td>$21,651,000</td>
</tr>
</tbody>
</table>

3 **SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.**

4 (a) **ARMY CONSTRUCTION AND LAND ACQUISITION.**—

5 (1) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2101(a) of that Act (134 Stat. 4295), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

6 (2) **TABLE.**—The table referred to in paragraph (1) is as follows:

**Army: Extension of 2021 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona ..........</td>
<td>Yuma Proving Ground</td>
<td>Ready Building ........</td>
<td>$14,000,000</td>
</tr>
</tbody>
</table>
Army: Extension of 2021 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Gillem</td>
<td>Forensic Lab</td>
<td>$71,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Information Systems</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Facility</td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>Fort Johnson</td>
<td></td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

(b) **Child Development Center, Georgia.**—

(1) **Extension.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization under section 2865 of that Act (10 U.S.C. 2802 note) for the project described in paragraph (2) in Fort Eisenhower, Georgia, shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **Project Described.**—The project described in this paragraph is the following:

**Army: Extension of 2021 Project Authorization**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Eisenhower</td>
<td>Child Development Center</td>
<td>$21,000,000</td>
</tr>
</tbody>
</table>
TITLE XXII—NAVY MILITARY
CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Marine Corps Air Ground Combat Center Twenty-nine Palms.</td>
<td>$42,100,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Naval Submarine Base New London</td>
<td>$331,718,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Marine Barracks Washington</td>
<td>$131,800,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Naval Air Station Whiting Field</td>
<td>$141,500,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$497,620,000</td>
</tr>
<tr>
<td></td>
<td>Joint Region Marianas</td>
<td>$174,540,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Base Guam</td>
<td>$946,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$186,480,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station Patuxent River</td>
<td>$141,700,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Air Station Cherry Point</td>
<td>$270,150,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Naval Surface Warfare Center Philadelphia</td>
<td>$88,200,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck Annex</td>
<td>$109,680,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek - Fort Story.</td>
<td>$35,000,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Quantico</td>
<td>$127,120,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station Norfolk</td>
<td>$158,095,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station Yorktown</td>
<td>$221,920,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Base Kitsap</td>
<td>$245,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropria-
tions in section 2203(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Navy: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Djibouti</td>
<td>Camp Lemonnier</td>
<td>$106,600,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Air Station Sigonella</td>
<td>$77,072,000</td>
</tr>
</tbody>
</table>

(c) **Prototype Project.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Navy may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

**Navy Prototype Project**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Joint Expeditionary Base Little Creek - Fort Story</td>
<td>$35,000,000</td>
</tr>
</tbody>
</table>
SEC. 2202. FAMILY HOUSING.

(a) Construction and Acquisition.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>Joint Region Marianas.</td>
<td>Replace Andersen Housing Ph 8.</td>
<td>$121,906,000</td>
</tr>
<tr>
<td></td>
<td>............................</td>
<td>Replace Andersen Housing (AF) PH7.</td>
<td>$83,126,000</td>
</tr>
</tbody>
</table>

(b) Improvements to Military Family Housing Units.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $57,740,000.

(c) Planning and Design.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing...
functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $14,370,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) Navy Construction and Land Acquisition Projects.—
1031

(1) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2201 of that Act (132 Stat. 2243), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **TABLE.**—The table referred to in paragraph (1) is as follows:

**Navy: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain ..........</td>
<td>SW Asia ..................</td>
<td>Fleet Maintenance Facility &amp; TOC.</td>
<td>$26,340,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base Camp Lejeune</td>
<td>2nd Radio BN Complex, Phase 2.</td>
<td>$51,300,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station Beaufort</td>
<td>Recycling/Hazardous Waste Facility.</td>
<td>$9,517,000</td>
</tr>
<tr>
<td>Washington ....</td>
<td>Bangor ...................</td>
<td>Pier and Maintenance Facility.</td>
<td>$88,960,000</td>
</tr>
</tbody>
</table>

(b) **LAUREL BAY FIRE STATION, SOUTH CAROLINA.**—

(1) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization under section 2810 of that Act (132 Stat. 2266) for the project described in paragraph (2) shall remain in
effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) PROJECT DESCRIBED.—The project described in this paragraph is the following:

Navy: Extension of 2019 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station Beaufort</td>
<td>Laurel Bay Fire Station ...</td>
<td>$10,750,000</td>
</tr>
</tbody>
</table>

(c) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (132 Stat. 2286), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Navy: Extension of 2019 Project Authorizations

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece ..........</td>
<td>Naval Support Activity Souda Bay.</td>
<td>EDI Joint Mobility Processing Center.</td>
<td>$41,650,000</td>
</tr>
</tbody>
</table>
SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (134 Stat. 4297), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2021 Project Authorizations

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California .....</td>
<td>Twentynine Palms. ....</td>
<td>Wastewater Treatment Plant.</td>
<td>$76,500,000</td>
</tr>
<tr>
<td>Guam .............</td>
<td>Joint Region Marianas.</td>
<td>Joint Communication Upgrade.</td>
<td>$166,000,000</td>
</tr>
<tr>
<td>Maine ............</td>
<td>NCTAMS LANT Detachment Cutler.</td>
<td>Perimeter Security</td>
<td>$26,100,000</td>
</tr>
<tr>
<td>Nevada ...........</td>
<td>Fallon ................</td>
<td>Range Training Complex, Phase I.</td>
<td>$29,040,000</td>
</tr>
</tbody>
</table>

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropria-
tions in section 2303(a) and available for military con-
struction projects inside the United States as specified in
the funding table in section 4601, the Secretary of the
Air Force may acquire real property and carry out mili-
tary construction projects for the installations or locations
inside the United States, and in the amounts, set forth
in the following table:

**Air Force: Inside the United States**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>MacDill Air Force Base</td>
<td>$131,000,000</td>
</tr>
<tr>
<td></td>
<td>Patrick Space Force Base</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Tyndall Air Force Base</td>
<td>$252,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Robins Air Force Base</td>
<td>$115,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>$39,500,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$235,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio-Lackland</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$82,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$85,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts
appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military con-
struction projects outside the United States as specified in the funding table in section 4601, the Secretary of the
Air Force may acquire real property and carry out mili-
tary construction projects for the installations or locations outside the United States, and in the amounts, set forth
in the following table:

**Air Force: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Royal Australian Air Force Base Darwin</td>
<td>$26,000,000</td>
</tr>
<tr>
<td></td>
<td>Royal Australian Air Force Base Tindal</td>
<td>$130,500,000</td>
</tr>
<tr>
<td>Norway</td>
<td>Rygge Air Station</td>
<td>$119,000,000</td>
</tr>
<tr>
<td>Philippines</td>
<td>Cesar Basa Air Base</td>
<td>$35,000,000</td>
</tr>
</tbody>
</table>
Air Force: Outside the United States—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spain</td>
<td>Morón Air Base</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Fairford</td>
<td>$47,000,000</td>
</tr>
<tr>
<td></td>
<td>Royal Air Force Lakenheath</td>
<td>$78,000,000</td>
</tr>
</tbody>
</table>

(c) Prototype Project.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Air Force may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>$37,000,000</td>
</tr>
</tbody>
</table>

SEC. 2302. FAMILY HOUSING.

(a) Improvements to Military Family Housing Units.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the
Air Force may improve existing military family housing units in an amount not to exceed $229,282,000.

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $7,815,000.

SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appro-
priated under subsection (a), as specified in the funding table in section 4601.

SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECTS.

(a) Air Force Construction and Land Acquisition Projects.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorizations set forth in the table in paragraph (2), as provided in section 2301(b) of that Act (130 Stat. 2697) and extended by section 2304 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) Table.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ramstein Air Base</td>
<td>37 AS Squadron Operations/Aircraft Maintenance Unit</td>
<td>$13,437,000</td>
</tr>
<tr>
<td></td>
<td>Spangdahlem Air Base</td>
<td>Upgrade Hardened Aircraft Shelters for F/A-22</td>
<td>$2,700,000</td>
</tr>
</tbody>
</table>
(b) Overseas Contingency Operations.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (130 Stat. 2743) and extended by section 2304 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) Table.—The table referred to in paragraph (1) is as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan ..........</td>
<td>Yokota Air Force Base</td>
<td>C-130J Corrosion Control Hangar</td>
<td>$23,777,000</td>
</tr>
<tr>
<td>Germany .......</td>
<td>Spangdahlem Air Base</td>
<td>F/A-22 Low Observable/Composite Repair Facility</td>
<td>$12,000,000</td>
</tr>
</tbody>
</table>
SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) Air Force Construction and Land Acquisition Projects.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825) and extended by section 2304(a) of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) Table.—The table referred to in paragraph (1) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Tyndall Air Force Base</td>
<td>Fire Station</td>
<td>$17,000,000</td>
</tr>
</tbody>
</table>

(b) Overseas Contingency Operations.—

91; 131 Stat. 1817), the authorizations set forth in
the table in paragraph (2), as provided in section
2903 of that Act (131 Stat. 1876) and extended by
section 2304(b) of the Military Construction Author-
ization Act for Fiscal Year 2023 (division B of Pub-
lic Law 117-263), shall remain in effect until Octo-
ber 1, 2024, or the date of the enactment of an Act
authorizing funds for military construction for fiscal
year 2025, whichever is later.

(2) Table.—The table referred to in paragraph
(1) is as follows:

Air Force: Extension of 2018 Project Authorizations

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hungary</td>
<td>Kecskemet Air Base ....</td>
<td>ERI: Airfield Upgrades ............</td>
<td>$12,900,000</td>
</tr>
<tr>
<td></td>
<td>Kecskemet Air Base ....</td>
<td>ERI: Construct Parallel Taxiway ...</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Kecskemet Air Base ....</td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$12,500,000</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Sanem ....................</td>
<td>ERI: ECAOS Deployable Airbase System Storage. ..................................</td>
<td>$67,400,000</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Malacky ..................</td>
<td>ERI: Airfield Upgrades ............</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td>Malacky ..................</td>
<td>ERI: Increase POL Storage Capacity</td>
<td>$20,000,000</td>
</tr>
</tbody>
</table>

SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act
for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in
the table in paragraph (2), as provided in section
2301 of that Act (132 Stat. 2246), shall remain in
effect until October 1, 2024, or the date of the en-
actment of an Act authorizing funds for military
construction for fiscal year 2025, whichever is later.

(2) **Table.**—The table referred to in paragraph
(1) is as follows:

**Air Force: Extension of 2019 Project Authorizations**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mariana Islands ....</td>
<td>Tinian ...................</td>
<td>APR-Cargo Pad with Taxiway Extension ..........</td>
<td>$46,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>APB-Maintenance Support Facility ............</td>
<td>$4,700,000</td>
</tr>
<tr>
<td>Maryland ............</td>
<td>Joint Base Andrews ....</td>
<td>Child Development Center ......................</td>
<td>$13,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PAR Relocate Haz Cargo Pad and EOD Range ......</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>New Mexico .........</td>
<td>Holloman Air Force Base</td>
<td>MQ–9 FTU Ops Facility ..........................</td>
<td>$85,000,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>Wyoming Gate Upgrade for Anti-Terrorism Compli-</td>
<td>$7,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ance ............................................</td>
<td></td>
</tr>
<tr>
<td>United Kingdom ....</td>
<td>Royal Air Force Lakenheath</td>
<td>F-35 ADAL Conventional Munitions MX ............</td>
<td>$9,204,000</td>
</tr>
<tr>
<td></td>
<td>Hill Air Force Base .....</td>
<td>Composite Aircraft Antenna Calibration Fac. ..........</td>
<td>$26,000,000</td>
</tr>
</tbody>
</table>

(b) **Overseas Contingency Operations.**—

(1) **Extension.**—Notwithstanding section
for Fiscal Year 2019 (division B of Public Law 115–
232; 132 Stat. 2240), the authorizations set forth in
the table in paragraph (2), as provided in section
2903 of that Act (132 Stat. 2287), shall remain in
effect until October 1, 2024, or the date of the en-
actment of an Act authorizing funds for military
construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph
(1) is as follows:

Air Force: Extension of 2019 Project Authorizations

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slovakia ..........</td>
<td>Malacky .................</td>
<td>EDI: Regional Munitions Storage</td>
<td>$59,000,000</td>
</tr>
<tr>
<td>United Kingdom ....</td>
<td>RAF Fairford ............</td>
<td>EDI: Construct DABS-FEV Storage</td>
<td>$87,000,000</td>
</tr>
<tr>
<td></td>
<td>RAF Fairford ............</td>
<td>EDI: Munitions Holding Area ......</td>
<td>$19,000,000</td>
</tr>
</tbody>
</table>

SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) Air Force Construction and Land Acquisition Project.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in paragraph (2), as provided in section 2301 of that Act (134 Stat. 4299), shall remain in
effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

**Air Force: Extension of 2021 Project Authorization**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Joint Base Langley-Eustis</td>
<td>Access Control Point Main Gate with Lang Acq.</td>
<td>$19,500,00</td>
</tr>
</tbody>
</table>

(b) **OVERSEAS CONTINGENCY OPERATIONS.**—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2902 of that Act (134 Stat. 4373), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

**Air Force: Extension of 2021 Project Authorizations**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ramstein</td>
<td>EDI: Rapid Airfield Damage Repair Storage</td>
<td>$36,345,00</td>
</tr>
</tbody>
</table>
Air Force: Extension of 2021 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spangdahlem Air Base</td>
<td>EDI: Rapid Airfield Damage Repair Storage</td>
<td>$25,824,000</td>
<td></td>
</tr>
</tbody>
</table>

1 TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

2 SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

3 (a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Redstone Arsenal</td>
<td>$147,975,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air Station Miramar</td>
<td>$103,000,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$30,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$885,000,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Great Falls International Airport</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base Camp Lejeune</td>
<td>$70,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$14,200,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$185,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek – Fort Story.</td>
<td>$61,000,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon</td>
<td>$30,600,000</td>
</tr>
</tbody>
</table>
Defense Agencies: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington ..........</td>
<td>Joint Base Lewis – McChord ...............</td>
<td>$62,000,000</td>
</tr>
<tr>
<td>Manchester ..........</td>
<td></td>
<td>$71,000,000</td>
</tr>
<tr>
<td>Naval Undersea</td>
<td>Warfare Center Keyport</td>
<td>$37,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba ......</td>
<td>Guantanamo Bay Naval Station ..............</td>
<td>$257,000,000</td>
</tr>
<tr>
<td>Germany ...</td>
<td>Baumholder ...................................</td>
<td>$57,700,000</td>
</tr>
<tr>
<td></td>
<td>Ramstein Air Base ..........................</td>
<td>$181,764,000</td>
</tr>
<tr>
<td>Honduras ..</td>
<td>Soto Cano Air Base ........................</td>
<td>$41,300,000</td>
</tr>
<tr>
<td>Japan .....</td>
<td>Kadena Air Base ................................</td>
<td>$100,300,000</td>
</tr>
<tr>
<td>Spain .....</td>
<td>Naval Station Rota ..........................</td>
<td>$80,000,000</td>
</tr>
</tbody>
</table>

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy con-
ervation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**ERCIP Projects: Inside the United States**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Marine Corps Air Station Miramar</td>
<td>$30,550,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base San Diego</td>
<td>$6,300,000</td>
</tr>
<tr>
<td></td>
<td>Vandenberg Space Force Base</td>
<td>$57,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Space Force Base</td>
<td>$14,700,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Naval Submarine Base Kings Bay</td>
<td>$49,500,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Forbes Field</td>
<td>$5,850,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Lake City Army Ammunition Plant</td>
<td>$80,100,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$41,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Liberty (Camp Mackall)</td>
<td>$10,500,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$76,650,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Fort Buchanan</td>
<td>$56,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Cavazos</td>
<td>$18,250,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Pentagon</td>
<td>$2,250,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis – McChord</td>
<td>$49,850,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**ERCIP Projects: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>K–16 Air Base</td>
<td>$5,650,000</td>
</tr>
<tr>
<td>Kuwait</td>
<td>Camp Buehring</td>
<td>$18,850,000</td>
</tr>
</tbody>
</table>
1 (c) Improvement of Conveyed Utility Systems.—In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>Microgrid and Backup Power</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Liberty (Camp Mackall)</td>
<td>Microgrid and Backup Power</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Cavazos</td>
<td>Microgrid and Backup Power</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis – McChord</td>
<td>Power Generation and Microgrid</td>
</tr>
</tbody>
</table>

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.
(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in subsection (b), as provided in section 2401(b) of that Act (131 Stat. 1829) and extended by section 2404 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:
Defense Agencies: Extension of 2018 Project Authorizations

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td>Construct Bulk Storage Tanks PH 1</td>
<td>$30,800,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Punta Borinquen</td>
<td>Ramey Unit School Replacement</td>
<td>$61,071,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Baumholder</td>
<td>SOF Joint Parachute Rigging Facility</td>
<td>$11,504,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Camp McTureous</td>
<td>Betchef Elementary School</td>
<td>$94,851,000</td>
</tr>
<tr>
<td></td>
<td>Iwakuni</td>
<td>Fuel Pier</td>
<td>$33,200,000</td>
</tr>
</tbody>
</table>

SEC. 2405. EXTENSION AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) Extension.—

(1) In General.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2401(b) of that Act (132 Stat. 2249), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) Table.—The table referred to in paragraph (1) is as follows:

Defense Agencies: Extension of 2019 Project Authorizations

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Baumholder</td>
<td>SOF Joint Parachute Rigging Facility</td>
<td>$11,504,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Camp McTureous</td>
<td>Betchef Elementary School</td>
<td>$94,851,000</td>
</tr>
<tr>
<td></td>
<td>Iwakuni</td>
<td>Fuel Pier</td>
<td>$33,200,000</td>
</tr>
</tbody>
</table>
(b) Modification of Authority to Carry Out Fiscal Year 2019 Project in Baumholder, Germany.—

(1) Modification of project authority.— In the case of the authorization contained in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2249) for Baumholder, Germany, for construction of a SOF Joint Parachute Rigging Facility, the Secretary of Defense may construct a 3,200 square meter facility.

(2) Modification of project amounts.—

(A) Division B table.—The authorization table in section 2401(b) of the Military Construction Defense Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2249), as extended pursuant to subsection (a), is amended in the item relating to Baumholder, Germany, by striking "$11,504,000" and inserting "$23,000,000" to reflect the project modification made by paragraph (1).

(B) Division D table.—The funding table in section 4601 of the John S. McCain National Defense Authorization Act for Fiscal
Year 2019 (Public Law 115–232; 132 Stat. 2406) is amended in the item relating to Defense-wide, Baumholder, Germany, SOF Joint Parachute Rigging Facility, by striking “$11,504” in the Conference Authorized column and inserting “$23,000” to reflect the project modification made by paragraph (1).

SEC. 2406. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) Defense Agencies Construction and Land Acquisition Project.—

(1) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in paragraph (2), as provided in section 2401(b) of that Act (134 Stat. 4305), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) Table.—The table referred to in paragraph (1) is as follows:


<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Def Fuel Support Point Tsurumi</td>
<td>Fuel Wharf</td>
<td>$49,500,000</td>
</tr>
</tbody>
</table>
(b) **Energy Resilience and Conservation Investment Program Projects.—**

(1) **Extension.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2402 of that Act (134 Stat. 4306), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) **Table.**—The table referred to in subsection (a) is as follows:

### ERCIP Projects: Extension of 2021 Project Authorizations

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project Description</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansas ......</td>
<td>Ebbing Air National Guard Base ..........</td>
<td>PV Arrays and Battery Storage ..................</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>California ......</td>
<td>Marine Corps Air Ground Combat Center Twentynine Palms ..........</td>
<td>Install 10 Mw Battery Energy Storage for Various Buildings ..................</td>
<td>$11,646,000</td>
</tr>
<tr>
<td>.................</td>
<td>Military Ocean Terminal Concord ..............</td>
<td>Military Ocean Terminal Concord Microgrid ..........</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>Naval Support Activity Monterey ..........</td>
<td>Cogeneration Plant at B236 ..................</td>
<td>$10,540,000</td>
<td></td>
</tr>
<tr>
<td>Italy ..............</td>
<td>Naval Support Activity Naples ..........</td>
<td>Smart Grid ..................</td>
<td>$3,490,000</td>
</tr>
<tr>
<td>Nevada ............</td>
<td>Creech Air Force Base ..........</td>
<td>Central Standby Generators ..................</td>
<td>$32,000,000</td>
</tr>
</tbody>
</table>
ERCIP Projects: Extension of 2021 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia ......</td>
<td>Naval Medical Center Portsmouth ..........</td>
<td>Retro Air Handling Units From Constant Volume; Reheat to Variable Air Volume ..................</td>
<td>$611,000</td>
</tr>
</tbody>
</table>

1 SEC. 2407. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2022 PROJECTS.

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

**Improvement of Conveyed Utility Systems**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama ........</td>
<td>Fort Novosel ..................</td>
<td>Construct a 10 MW RICE Generator Plant and Micro-Grid Controls</td>
</tr>
<tr>
<td>Georgia ..........</td>
<td>Fort Moore ..................</td>
<td>Construct a 4.8MW Generation and Microgrid</td>
</tr>
<tr>
<td></td>
<td>Fort Stewart ..................</td>
<td>Construct a 10 MW Generation Plant, with Microgrid Controls</td>
</tr>
<tr>
<td>New York ........</td>
<td>Fort Drum ..................</td>
<td>Well Field Expansion Project</td>
</tr>
</tbody>
</table>
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**Improvement of Conveyed Utility Systems—Continued**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>Fort Liberty ..................................</td>
<td>Construct 10 MW Microgrid Utilizing Existing and New Generators</td>
</tr>
<tr>
<td></td>
<td>Fort Liberty ..................................</td>
<td>Fort Liberty Emergency Water System</td>
</tr>
<tr>
<td></td>
<td>Fort Liberty ..................................</td>
<td></td>
</tr>
</tbody>
</table>

1 **SEC. 2408. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2023 PROJECTS.**

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

**Improvement of Conveyed Utility Systems**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Stewart – Hunter Army Airfield</td>
<td>Power Generation and Microgrid</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley ..................................</td>
<td>Power Generation and Microgrid</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Cavazos ................................</td>
<td>Power Generation and Microgrid</td>
</tr>
</tbody>
</table>
TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.
Subtitle B—Host Country In-kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

<table>
<thead>
<tr>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>Camp Bonifas</td>
<td>Vehicle Maintenance Shop</td>
<td>$7,700,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Carroll</td>
<td>Humidity-Controlled Warehouse.</td>
<td>$189,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Airfield Services Storage Warehouse.</td>
<td>$7,100,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Walker</td>
<td>Consolidated Fire and Military Police Station.</td>
<td>$48,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Pusan</td>
<td>Warehouse Facility</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>Navy</td>
<td>Chinhae</td>
<td>Electrical Switchgear Building.</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Consolidated Operations Group and Maintenance Group Headquarters.</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Flight Line Dining Facility</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Reconnaissance Squadron Operations and Avionics Facility.</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Repair Aircraft Maintenance Hangar B1732.</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Upgrade Electrical Distribution East, Phase 2.</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td>Water Supply Treatment Facility.</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Poland for required in-kind contributions, the Secretary of Defense may accept military construction projects for the in-
installations or locations in the Republic of Poland, and in the amounts, set forth in the following table:

**Republic of Poland Funded Construction Projects**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>Powidz</td>
<td>Barracks and Dining Facility.</td>
<td>$93,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Powidz</td>
<td>Rotary Wing Aircraft Apron.</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Swietoszow</td>
<td>Bulk Fuel Storage</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Swietoszow</td>
<td>Rail Extension and Railhead.</td>
<td>$7,300,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Wroclaw</td>
<td>Aerial Port of Debarkation Ramp.</td>
<td>$59,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Wroclaw</td>
<td>Taxiways to Aerial Port of Debarkation Ramp.</td>
<td>$39,000,000</td>
</tr>
<tr>
<td>Defense-wide</td>
<td>Lubliniec</td>
<td>Special Operations Forces</td>
<td>$16,200,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Company Operations Facility.</td>
<td></td>
</tr>
</tbody>
</table>

**TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Army National Guard**

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Surprise Readiness Center</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Camp Blanding</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Jerome County Regional Site</td>
<td>$17,000,000</td>
</tr>
</tbody>
</table>
Army National Guard—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>North Riverside Armory</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Burlington</td>
<td>$16,400,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Southaven</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Belle Fontaine</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Littleton</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Rio Rancho Training Site</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Lexington Avenue Armory</td>
<td>$90,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Camp Perry Joint Training Center</td>
<td>$19,200,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Washington County Readiness Center</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Hermitage Readiness Center</td>
<td>$13,600,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>North Kings town</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Aiken County Readiness Center</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Sandston RC &amp; FMS 1</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Viroqua</td>
<td>$18,200,000</td>
</tr>
</tbody>
</table>

1 SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Birmingham</td>
<td>$57,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Queen Creek</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Fort Hunter Liggett</td>
<td>$40,000,000</td>
</tr>
</tbody>
</table>
SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Navy Reserve and Marine Corps Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State</strong></td>
</tr>
<tr>
<td>Michigan</td>
</tr>
<tr>
<td>Virginia</td>
</tr>
</tbody>
</table>

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:
Air National Guard

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Montgomery Regional Airport</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Joint Base Elmendorf – Richardson</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Tucson International Airport</td>
<td>$11,600,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Ebbing Air National Guard Base</td>
<td>$76,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Space Force Base</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Fort Wayne International Airport</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Portland International Airport</td>
<td>$71,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Harrisburg International Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Truax Field</td>
<td>$5,200,000</td>
</tr>
</tbody>
</table>

1 SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>California</td>
<td>March Air Reserve Base</td>
<td>$226,500,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Barksdale Air Force Base</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Naval Air Station Joint Reserve Base Fort Worth</td>
<td>$16,000,000</td>
</tr>
</tbody>
</table>

11 SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for the costs of acquisition, architectural and engineering services,
and construction of facilities for the Guard and Reserve
Forces, and for contributions therefor, under chapter
1803 of title 10, United States Code (including the cost
of acquisition of land for those facilities), as specified in
the funding table in section 4601.

SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT FIS-
CAL YEAR 2018 PROJECT AT HULMAN RE-
GIONAL AIRPORT, INDIANA.

(a) EXTENSION.—Notwithstanding section 2002 of
the Military Construction Authorization Act for Fiscal
Year 2018 (division B of Public Law 115–91; 131 Stat.
1817), the authorization set forth in the table in sub-
section (b), as provided in section 2604 of that Act (131
Stat. 1836) and extended by section 2608 of the Military
Construction Authorization Act for Fiscal Year 2023 (di-
vision B of Public Law 117–263), shall remain in effect
until October 1, 2024, or the date of the enactment of
an Act authorizing funds for military construction for fis-
cal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a)
is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana ..........</td>
<td>Hulman Regional Airport ....</td>
<td>Construct Small Arms Range ..........</td>
<td>$8,000,000</td>
</tr>
</tbody>
</table>
SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT FRANCIS S. GABRESKI AIRPORT, NEW YORK.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (132 Stat. 2255), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York</td>
<td>Francis S. Gabreski Airport</td>
<td>Security Forces/Comm.</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Training Facility</td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2609. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604...
of that Act (134 Stat. 4312, 4313, 4314), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Original Authorized Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansas</td>
<td>Fort Chaffee</td>
<td>National Guard Readiness Center</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Bakersfield</td>
<td>National Guard Vehicle Maintenance Shop</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Space Force Base</td>
<td>National Guard Readiness Center</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marinas</td>
<td>Space Control Facility #5</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Columbus</td>
<td>National Guard Readiness Center</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Devens Reserve Forces Training Area</td>
<td>Automated Multipurpose Machine Gun Range</td>
<td>$8,700,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Asheville</td>
<td>Army Reserve Center/Land</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Fort Allen</td>
<td>National Guard Readiness Center</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Joint Base Charleston</td>
<td>National Guard Readiness Center</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Worth</td>
<td>Aircraft Maintenance Hangar Addition/Alt.</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base San Antonio</td>
<td>F–16 Mission Training Center</td>
<td>$10,800,000</td>
</tr>
<tr>
<td>Virgin Islands</td>
<td>St. Croix</td>
<td>Army Aviation Support Facility (AASF)</td>
<td>$28,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>OST Ready Building</td>
<td>$11,400,000</td>
</tr>
</tbody>
</table>

SEC. 2610. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2022 PROJECT AT NICKELL MEMORIAL ARMORY, KANSAS.

(a) Transfer Authority.—From amounts appropriated for “Military Construction, Army National Guard”
pursuant to the authorization of appropriations in section 2606 and available as specified in the funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81, 135 Stat. 2315), the Secretary of Defense may transfer not more than $420,000 to an appropriation for “Military Construction, Air National Guard” for use for studying, planning, designing, and architect and engineer services for a sensitive compartmented information facility project at Nickell Memorial Armory, Kansas.

(b) Merger of Amounts Transferred.—Any amount transferred under subsection (a) shall be merged with and available for the same purposes, and for the same time period, as the “Military Construction, Air National Guard” appropriation to which transferred.

(c) Authority.—Using amounts transferred pursuant to subsection (a), the Secretary of the Air Force may carry out study, planning, design, and architect and engineer services activities for a sensitive compartmented information facility project at Nickell Memorial Armory, Kansas.
SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2023 PROJECT AT CAMP PENDLETON, CALIFORNIA.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263) and specified in the funding table in section 4601 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) for Camp Pendleton, California, for construction of an Area Maintenance Support Activity, the Secretary of the Army may construct a 15,000 square foot facility.

SEC. 2612. AUTHORITY TO CONDUCT RESTORATION AND MODERNIZATION PROJECTS AT THE FIRST CITY TROOP READINESS CENTER IN PHILADELPHIA, PENNSYLVANIA.

The Chief of the National Guard Bureau may expend amounts available to the Army National Guard for facilities sustainment, restoration, and modernization to conduct restoration and modernization projects at the First City Troop Readiness Center in Philadelphia, Pennsylvania, if—

(1) the Commonwealth of Pennsylvania has a sufficient remaining lease term for such center to realize the full lifecycle benefit of such a project;
(2) the Federal contribution for such a project does not exceed 50 percent of the cost of the project (inclusive of all project costs); and

(3) the Chief of the National Guard Bureau notifies the Committees on Armed Services of the Senate and the House of Representatives not less than 15 days before awarding a contract for such a project, which shall include an explanation of the sufficiency of remaining lease term to justify the investment.

**TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

**SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section
2906 of such Act, as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

SEC. 2703. CLOSURE AND DISPOSAL OF THE PUEBLO CHEMICAL DEPOT, PUEBLO COUNTY, COLORADO.

(a) IN GENERAL.—The Secretary of the Army shall close the Pueblo Chemical Depot in Pueblo County, Colorado (in this section referred to as the “Depot”), not later than one year after the completion of the chemical demilitarization mission at such location in accordance with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Geneva September 3, 1992, and entered into force April 29, 1997 (commonly referred to as the “Chemical Weapons Convention”).

(b) PROCEDURES.—The Secretary of the Army shall carry out the closure and subsequent related property management and disposal of the Depot, including the land, buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal

(c) Office of Local Defense Community Cooperation Activities.—The Office of Local Defense Community Cooperation of the Department of Defense may make grants and supplement other Federal funds pursuant to section 2391 of title 10, United States Code, to support closure and reuse activities of the Depot.

(d) Treatment of Existing Permits.—Nothing in this section shall be construed to prevent the removal or demolition by the Program Executive Office, Assembled Chemical Weapons Alternatives of the Department of the Army of existing buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property of the Chemical Agent–Destruction Pilot Plant at the Depot in accordance with Hazardous Waste Permit Number CO–20–09–02–01 under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly known as the “Resource Conservation and Recovery Act of 1976”) issued by the State of Colorado, or any associated or follow-on permits under such Act.
(c) Homeless Use.—Given the nature of activities undertaken at the Chemical Agent–Destruction Pilot Plant at the Depot, such land, buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property comprising the Chemical Agent–Destruction Pilot Plant is deemed unsuitable for homeless use and, in carrying out any closure, management, or disposal of property under this section, need not be screened for homeless use purposes pursuant to section 2905(b)(7) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. AUTHORITY FOR INDO-PACIFIC POSTURE MILITARY CONSTRUCTION PROJECTS.

(a) Authority.—The Commander of the United States Indo-Pacific Command (in this section referred to as the “Commander”) may carry out an unspecified military construction project not otherwise authorized by law or may authorize the Secretary of a military department to carry out such a project.
(b) Scope of Project Authority.—A project carried out under this section may include any planning, designing, construction, development, conversion, extension, renovation, or repair, whether to satisfy temporary or permanent requirements, and, to the extent necessary, any acquisition of land.

(c) Purposes.—A project carried out under this section shall be for the purpose of—

(1) supporting the rotational deployments of the Armed Forces;

(2) enhancing facility preparedness and military installation resilience (as defined in section 101(e)(8) of title 10, United States Code) in support of potential, planned, or anticipated national defense activities; or

(3) providing for prepositioning and storage of equipment and supplies.

(d) Location of Projects.—A project carried out under this section—

(1) may be located—

(A) at a cooperative security location, forward operating site, or contingency location for use by the Armed Forces; or

(B) at a location used by the Armed Forces that is owned or operated by Guam,
American Samoa, or the Commonwealth of the Northern Mariana Islands; and

(2) may be carried out without regard to whether the real property or facilities at the location are under the jurisdiction of the Department of Defense if the Commander determines that the United States has a sufficient interest in the property or facility to support the project.

(e) Maximum Amount.—The cost of any project carried out under this section may not exceed $15,000,000.

(f) Available Amounts.—In carrying out a project under this section, the Commander, or the Secretary of a military department when authorized by the Commander, may use amounts authorized for—

(1) the INDOPACOM Military Construction Pilot Program fund; and

(2) operation and maintenance that are made available to the Commander, not to exceed 200 percent of the amount specified in section 2805(c) of title 10, United States Code.

(g) Notice to Congress.—

(1) In General.—If the Commander decides to carry out a project under this section with a cost exceeding $2,000,000, the Commander shall notify the congressional defense committees of that deter-
mination in an electronic medium pursuant to section 480 of title 10, United States Code.

(2) RELEVANT DETAILS.—Notice under paragraph (1) with respect to a project shall include relevant details of the project, including the estimated cost, and may include a classified annex.

(3) TIMING.—A project under this section covered by paragraph (1) may not be carried out until the end of the 14-day period beginning on the date the notification under such paragraph is received by the congressional defense committees.

(h) ANNUAL REPORT.—Not later than December 31 of each year, the Commander shall submit to the congressional defense committees a report containing a list of projects funded, lessons learned, and, subject to the concurrence of the President, recommended adjustments to the authority under this section for the most recently ended fiscal year.

(i) PROJECT EXECUTION.—

(1) PROJECT SUPERVISION.—Subsections (a) and (b) of section 2851 of title 10, United States Code, shall not apply to projects carried out under this section.

(2) APPLICATION OF CHAPTER 169 OF TITLE 10, UNITED STATES CODE.—When exercising the au-
authority under subsection (a), the Commander shall, for purposes of chapter 169 of title 10, United States Code, be considered the Secretary concerned.

(j) SUNSET.—The authority to carry out a project under this section expires on March 31, 2029.

SEC. 2802. ORDERING AUTHORITY FOR MAINTENANCE, REPAIR, AND CONSTRUCTION OF FACILITIES OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2817. Ordering authority

“(a) IN GENERAL.—The head of a department or organization within the Department of Defense may place an order, on a reimbursable basis, with any other such department or organization for a project for the maintenance and repair of a facility of the Department of Defense or for a minor military construction project.

“(b) OBLIGATIONS.—An order placed by the head of a department or organization under subsection (a) is deemed to be an obligation of such department or organization in the same manner as a similar order or contract placed with a private contractor.

“(c) CONTINGENCY EXPENSES.—An order placed under subsection (a) for a project may include an amount
for contingency expenses that shall not exceed 10 percent of the cost of the project.

“(d) Availability of Amounts.—Amounts appropriated or otherwise made available to a department or organization of the Department of Defense shall be available to pay an obligation of such department or organization under this section in the same manner and to the same extent as those amounts are available to pay an obligation to a private contractor.”.

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“2817. Ordering authority.”.

SEC. 2803. APPLICATION OF AREA CONSTRUCTION COST INDICES OUTSIDE THE UNITED STATES.

Section 2805(f) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “inside the United States”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).
SEC. 2804. AUTHORIZATION OF COST-PLUS INCENTIVE-FEE CONTRACTING FOR MILITARY CONSTRUCTION PROJECTS TO MITIGATE RISK TO THE SENTINEL PROGRAM SCHEDULE AND COST.

(a) In general.—Notwithstanding section 3323(a) of title 10, United States Code, the Secretary of Defense may authorize the use of contracts using cost-plus incentive-fee contracting for military construction projects associated with launch facilities, launch centers, and related infrastructure of the Sentinel Program of the Department of Defense for not more than one low-rate initial production lot at each of the following locations:

(1) F.E. Warren Air Force Base.

(2) Malmstrom Air Force Base.

(3) Minot Air Force Base.

(b) Briefing.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than quarterly thereafter, the Secretary of Defense shall brief the congressional defense committees on the following:

(1) Uncertainties with site conditions at locations specified under subsection (a).

(2) The plan of the Department of Defense to transition to firm, fixed price contracts for military construction following any military construction projects carried out under subsection (a).
(3) The acquisition process for military construction projects carried out under subsection (a).

(4) Updates on the execution of military construction projects carried out under subsection (a).

SEC. 2805. EXTENSIONS TO THE MILITARY LANDS WITHDRAWAL ACT RELATING TO BARRY M. GOLDWATER RANGE.

(a) Renewal of current withdrawal and reservation.—Section 3031(d)(1) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 907) is amended by striking “25 years after the date of the enactment of this Act” and inserting “on October 5, 2049”.

(b) Extension.—Section 3031(e) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 908) is amended—

(1) in the subsection heading, by striking “Initial”; and

(2) in paragraph (1), by striking “initial”.

SEC. 2806. AUTHORITY TO LEASE LAND PARCEL FOR HOSPITAL AND MEDICAL CAMPUS, BARRIGADA TRANSMITTER SITE, GUAM.

(a) No-cost Lease Authorized.—The Secretary of the Navy (in this section referred to as the “Secretary”) may lease to the Government of Guam parcels of real
property, including any improvements thereon, consisting of approximately 102 acres of undeveloped land and approximately 10.877 acres of utility easements in the municipality of Barrigada and Mangilao, Guam, known as the Barrigada Transmitter Site, for construction of a public hospital and medical campus, without fair market consideration.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be leased under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(c) APPRAISAL NOT REQUIRED.—The lease under subsection (a) shall not require an appraisal.

(d) CONDITIONS OF LEASE.—

(1) SUBJECT TO CERTAIN EXISTING ENCUMBRANCES.—A lease of property under subsection (a) shall be subject to all existing easements, restrictions, and covenants of record, including restrictive covenants, that the Secretary determines are necessary to ensure that—

(A) the use of the property is compatible with continued military activities by the Armed Forces of the United States in Guam;
(B) the environmental condition of the property is compatible with the use of the property as a public hospital and medical campus;

(C) access is available to the United States to conduct environmental remediation or monitoring as required under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h));

(D) the property is used only for a public hospital and medical campus, which may include ancillary facilities to support the hospital and campus, or as set forth in subsection (e); and

(E) the public hospital and medical campus to be constructed on the property shall—

(i) include—

(I) an MV–22-capable helipad;

(II) recompression chamber capability; and

(III) perimeter fencing; and

(ii) allow for the relocation of weather radar equipment owned by the United States at the hospital or campus.
(2) **FUNDING.**—The Secretary is not required to fund the construction or operation of a hospital or medical campus on the property leased under subsection (a).

(3) **PAYMENT OF ADMINISTRATIVE COSTS.**—All direct and indirect administrative costs, including for surveys, title work, document drafting, closing, and labor, incurred by the Secretary related to any lease of the property under subsection (a) shall be borne by the Government of Guam.

(e) **ADDITIONAL TERMS.**—The Secretary may require such additional terms and conditions in connection with the lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) **NOT TO BE CONSIDERED EXCESS, TRANSFERRED, OR DISPOSED OF.**—The property subject to any lease under subsection (a) may not be declared to be excess real property to the needs of the Navy or transferred or otherwise disposed of by the Navy or any Federal agency.

**SEC. 2807. REVISION TO ACCESS AND MANAGEMENT OF AIR FORCE MEMORIAL.**

Section 2863(e) of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1332), is amended by striking “the
1080

1 Foundation” and inserting “non-Federal Government en-
2 tities, the Secretary of the Air Force, or both”.

3 SEC. 2808. DEVELOPMENT AND OPERATION OF THE MA-
4 RINE CORPS HERITAGE CENTER AND THE
5 NATIONAL MUSEUM OF THE MARINE CORPS.
6 (a) In General.—Chapter 861 of title 10, United
7 States Code, is amended by inserting after section 8617
8 the following new section:

9 “§ 8618. Marine Corps Heritage Center and the Na-
10 tional Museum of the Marine Corps

11 “(a) Joint Venture for Development and Con-
12 tinued Maintenance and Operation.—The Secretary
13 of the Navy (in this section referred to as the ‘Secretary’) 
14 may enter into a joint venture with the Marine Corps Her-
15 itage Foundation (in this section referred to as the ‘Foun-
16 dation’), a nonprofit entity, for the design, construction,
17 maintenance, and operation of a multipurpose facility to
18 be used for historical displays for public viewing, curation,
19 and storage of artifacts, research facilities, classrooms, of-
20 fices, and associated activities consistent with the mission
21 of the Marine Corps University. The facility shall be
22 known as the Marine Corps Heritage Center and the Na-
23 tional Museum of the Marine Corps (in this section re-
24 ferred to as the ‘Facility’).
“(b) Design and Construction.—For each phase of development of the Facility, the Secretary may—

“(1) permit the Foundation to contract for the design, construction, or both of such phase of development; or

“(2) accept funds from the Foundation for the design, construction, or both of such phase of development.

“(c) Acceptance Authority.—Upon completion of construction of any phase of development of the Facility by the Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Foundation, the Facility shall become the real property of the Department of the Navy with all right, title, and interest in and to the Facility belonging to the United States.

“(d) Maintenance, Operation, and Support.—

“(1) In General.—The Secretary may, for the purpose of maintenance and operation of the Facility—

“(A) enter into contracts or cooperative agreements, on a sole-source basis, with the Foundation for the procurement of property or services for the direct benefit or use of the Facility; and
“(B) notwithstanding the requirements of subsection (h) of section 2667 of this title and under such terms and conditions as the Secretary considers appropriate for the joint venture authorized under subsection (a), lease in accordance with such section 2667 portions of the Facility to the Foundation for use in generating revenue for activities of the Facility and for such administrative purposes as may be necessary for support of the Facility.

“(2) CONSIDERATION FOR LEASE.—In making a determination of fair market value under section 2667(b)(4) of this title for payment of consideration pursuant to a lease described in paragraph (1)(B), the Secretary may consider the entirety of the educational efforts of the Foundation, support by the Foundation to the history division of the Marine Corps Heritage Center, funding of museum programs and exhibits by the Foundation, or other support related to the Facility, in addition to the types of in-kind consideration provided under section 2667(c) of this title.

“(3) USE FOR REVENUE-GENERATING ACTIVITIES.—
“(A) In general.—Subject to subparagraph (B), the Secretary may authorize the Foundation to use real or personal property within the Facility to conduct revenue-generating activities in addition to those authorized under paragraph (1)(B), as the Secretary considers appropriate considering the work of the Foundation and the needs of the Facility.

“(B) Limitation.—The Secretary may only authorize the use of the Facility for a revenue-generating activity if the Secretary determines the activity will not interfere with activities and personnel of the armed forces or the activities of the Facility.

“(4) Retention of lease payments.—The Secretary shall retain lease payments received under paragraph (1)(B), other than in-kind consideration authorized under paragraph (2) or section 2667(c) of this title, solely for use in support of the Facility, and funds received as lease payments shall remain available until expended.

“(e) Use of certain gifts.—

“(1) In general.—Under regulations prescribed by the Secretary, the Commandant of the Marine Corps may, without regard to section 2601
of this title, accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property of a value of $250,000 or less made to the United States if such gift, devise, or bequest is for the benefit of the Facility.

“(2) EXPENSES.—The Secretary may pay or authorize the payment of any reasonable and necessary expense in connection with the conveyance or transfer of a gift, devise, or bequest under paragraph (1).

“(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 861 of such title is amended by inserting after the item relating to section 8617 the following new item:

“8618. Marine Corps Heritage Center and the National Museum of the Marine Corps.”.

SEC. 2809. AUTHORITY FOR ACQUISITION OF REAL PROPERTY INTEREST IN PARK LAND OWNED BY THE COMMONWEALTH OF VIRGINIA.

(a) Authority.—The Secretary of the Navy (in this section referred to as the “Secretary”) may acquire by purchase or lease approximately 225 square feet of land, including ingress and egress, at Westmoreland State Park, Virginia, for the purpose of installing, operating, maintaining, and protecting equipment to support research and development activities by the Department of the Navy in support of national security.

(b) Terms and Conditions.—The acquisition of property under subsection (a) shall be subject to the following terms and conditions:

(1) The Secretary shall pay the Commonwealth of Virginia fair market value for the property to be acquired, as determined by the Secretary.

(2) Such other terms and conditions as considered appropriate by the Secretary.

(c) Description of Property.—The legal description of the property to be acquired under subsection (a) shall be determined by a survey that is satisfactory to the Secretary and the Commonwealth of Virginia.

(d) Applicability of the Land and Water Conservation Fund Act.—The provisions of chapter 2003
of title 54, United States Code, shall not apply to the ac-
quisition of property under subsection (a).

(e) Reimbursement.—The Secretary shall reim-
burse the Commonwealth of Virginia for the reasonable
and documented administrative costs incurred by the
Commonwealth of Virginia to execute the acquisition by
the Secretary of property under subsection (a).

(f) Termination of Real Property Interest.—
The real property interest acquired by the Secretary under
subsection (a) shall terminate, and be released without
cost to the Commonwealth of Virginia, when the Secretary
determines such real property interest is no longer re-
quired for national security purposes.

SEC. 2810. MOVEMENT OR CONSOLIDATION OF JOINT SPEC-
TRUM CENTER TO FORT MEADE, MARYLAND,
OR ANOTHER APPROPRIATE LOCATION.

(a) Leaving Current Location.—Not later than
September 30, 2026, the Secretary of Defense shall com-
pletely vacate the offices of the Joint Spectrum Center of
the Department of Defense in Annapolis, Maryland.

(b) Movement or Consolidation.—The Secretary
shall take appropriate action to move, consolidate, or both,
the offices of the Joint Spectrum Center to the head-
quarters building of the Defense Information Systems
Agency at Fort Meade, Maryland, or another appropriate
location chosen by the Secretary for national security purposes to ensure the physical and cybersecurity protection of personnel and missions of the Department of Defense.

(c) STATUS UPDATE.—Not later than January 31 and July 31 of each year until the Secretary has completed the requirements under subsections (a) and (b), the Commander of the Defense Information Systems Agency shall provide an in-person and written update on the status of the completion of those requirements to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of Maryland.

(d) TERMINATION OF EXISTING LEASE.—Upon vacating the offices of the Joint Spectrum Center in Annapolis, Maryland, pursuant to subsection (a), all right, title, and interest of the United States in and to the existing lease for the Joint Spectrum Center in such location shall be terminated.

(e) REPEAL OF OBSOLETE AUTHORITY.—Section 2887 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 569) is repealed.
SEC. 2811. TEMPORARY EXPANSION OF AUTHORITY FOR
USE OF ONE-STEP TURN-KEY SELECTION
PROCEDURES FOR REPAIR PROJECTS.

During the five-year period beginning on the date of
the enactment of this Act, section 2862(a)(2) of title 10,
United States Code, shall be applied and administered by
substituting “$12,000,000” for “$4,000,000”.

SEC. 2812. MODIFICATION OF TEMPORARY INCREASE OF
AMOUNTS IN CONNECTION WITH AUTHORITY
TO CARRY OUT UNSPECIFIED MINOR MILI-
TARY CONSTRUCTION.

(a) IN GENERAL.—Section 2801 of the Military Con-
struction Authorization Act for Fiscal Year 2023 (division
B of Public Law 117–263) is amended—

(1) by redesignating paragraphs (2) through
(4) as paragraphs (3) through (5), respectively; and
(2) by inserting after paragraph (1) the fol-
lowing new paragraph (2):
“(2) in subsection (b)(2), by substituting
‘$4,000,000’ for ‘$2,000,000’;”.

(b) EFFECTIVE DATE.—The amendments made by
subsection (a) shall apply as if included in the enactment
of the Military Construction Authorization Act for Fiscal
Year 2023 (division B of Public Law 117–263).
SEC. 2813. PILOT PROGRAM ON REPLACEMENT OF SUB-STANDARD ENLISTED BARRACKS.

(a) In General.—The Secretary concerned may, in accordance with this section, carry out a pilot program under which the Secretary concerned may replace an existing enlisted barracks with a new enlisted barracks not otherwise authorized by law.

(b) Facility Requirements.—A new facility for an enlisted barracks replaced under subsection (a)—

(1) may not have a greater personnel capacity than the facility being replaced but may be physically larger than the facility being replaced;

(2) must be replacing a facility that is in a substandard condition, as determined by the Secretary concerned, and which determination may not be delegated, in advance of project approval;

(3) must be designed and utilized for the same purpose as the facility being replaced;

(4) must be located on the same installation as the facility being replaced; and

(5) must be designed to meet, at a minimum, current standards for construction, utilization, and force protection.

(c) Source of Funds.—The Secretary concerned, in using the authority under this section, may spend amounts available to the Secretary concerned for oper-
ation and maintenance or unspecified military construction.

(d) CONGRESSIONAL NOTIFICATION.—When a decision is made to carry out a replacement project under this section with an estimated cost in excess of $10,000,000, the Secretary concerned shall submit, in an electronic medium pursuant to section 480 of title 10, United States Code, to the appropriate committees of Congress a report containing—

(1) the justification for the replacement project and the current estimate of the cost of the project; and

(2) a description of the elements of military construction, including the elements specified in section 2802(b) of such title, incorporated into the project.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS; FACILITY; SECRETARY CONCERNED.—The terms “appropriate committees of Congress”, “facility”, and “Secretary concerned” have the meanings given those terms in section 2801 of title 10, United States Code.
(2) ENLISTED BARRACKS.—The term “enlisted barracks” means barracks designed and utilized for housing enlisted personnel of the Armed Forces.

(3) PERSONNEL CAPACITY.—The term “personnel capacity”, with respect to an enlisted barracks, means the design capacity for the number of enlisted personnel housed in the enlisted barracks.

(4) SUBSTANDARD CONDITION.—The term “substandard condition”, with respect to a facility, means the facility can no longer meet the requirements of current standards without repair that would cost more than 75 percent of the replacement cost.

(f) SUNSET.—The authority under this section shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 2814. EXPANSION OF DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM TO INCLUDE INSTALLATIONS OF THE COAST GUARD.

Section 2391 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1)(B), in the matter preceding clause (i), by inserting “, in consulta-
tion with the Commandant of the Coast
Guard,” after “The Secretary”; and

(B) by adding at the end the following new
paragraph:

“(5) In considering grants, agreements, or
other funding under paragraph (1)(A) with respect
to community infrastructure supportive of a military
installation of the Coast Guard, the Secretary of De-
fense shall consult with the Commandant of the
Coast Guard to assess the selection and
prioritization of the project concerned.”; and

(2) in subsection (e)(1), by adding at the end
the following new sentence: “For purposes of sub-
section (d), the term ‘military installation’ includes
an installation of the Coast Guard under the juris-
diction of the Department of Homeland Security.”.

SEC. 2815. MODIFICATION OF PILOT PROGRAM ON IN-
CREASED USE OF SUSTAINABLE BUILDING
MATERIALS IN MILITARY CONSTRUCTION.

Section 2861 of the National Defense Authorization
Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
2802 note) is amended—

(1) in subsection (b)(1), by striking the period
at the end and inserting “to include, under the pilot
program as a whole, at a minimum—
“(A) one project for mass timber; and

“(B) one project for low carbon concrete.”;

(2) in subsection (d), by striking “September 30, 2024” and inserting “September 30, 2025”;

(3) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(4) by inserting after subsection (d) the following new subsection (e):

“(e) COMMENCEMENT OF CONSTRUCTION.—Each military construction project carried out under the pilot program must commence construction by not later than January 1, 2025.”; and

(5) in subsection (f)(1), as redesignated by paragraph (3), by striking “December 31, 2024” and inserting “December 31, 2025”.

Subtitle B—Military Housing

PART I—MILITARY UNACCOMPANIED HOUSING

SEC. 2821. UNIFORM CONDITION INDEX FOR MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations requiring the Assistant Secretary of Defense for Energy, Installations, and Environment to complete and issue a uniform facility condition index for military unaccompanied housing, including such
housing that is existing as of the date of the enactment
of this Act and any such housing constructed or used on
or after such date of enactment.

(b) COMPLETION OF INDEX.—The uniform facility
condition index required under subsection (a) shall be
completed and issued by not later than October 1, 2024.

(c) MILITARY UNACCOMPANIED HOUSING DE-
FINED.—In this section, the term “military unaccom-
panied housing” means the following housing owned by
the United States Government:

(1) Military housing intended to be occupied by
members of the Armed Forces serving a tour of duty
unaccompanied by dependents.

(2) Transient housing intended to be occupied
by members of the Armed Forces on temporary
duty.

SEC. 2822. CERTIFICATION OF HABITABILITY OF MILITARY
UNACCOMPANIED HOUSING.

(a) IN GENERAL.—The Secretary of Defense shall in-
clude with the submission to Congress by the President
of the annual budget of the Department of Defense under
section 1105(a) of title 31, United States Code, a certifi-
cation from the Secretary of each military department to
the congressional defense committees that the cost for all
needed repairs and improvements for each occupied mili-

tary unaccompanied housing facility under the jurisdiction
of such Secretary does not exceed 20 percent of the re-
placement cost of such facility, as mandated by Depart-
ment of Defense Manual 4165.63, “DoD Housing Man-
agement”, or successor issuance.

(b) MILITARY UNACCOMPANIED HOUSING DE-
FINED.—In this section, the term “military unaccom-
panied housing” means the following housing owned by
the United States Government:

(1) Military housing intended to be occupied by
members of the Armed Forces serving a tour of duty
unaccompanied by dependents.

(2) Transient housing intended to be occupied
by members of the Armed Forces on temporary
duty.

SEC. 2823. MAINTENANCE WORK ORDER MANAGEMENT
PROCESS FOR MILITARY UNACCOMPANIED
HOUSING.

(a) IN GENERAL.—Not later than 30 days after the
date of the enactment of this Act, the Secretary of Defense
shall prescribe regulations to establish for each military
department a process associated with maintenance work
order management for military unaccompanied housing
under the jurisdiction of such military department, includ-
ing such housing that is existing as of the date of the en-
actment of this Act and any such housing constructed or
used on or after such date of enactment.

(b) USE OF PROCESS.—The processes required under
subsection (a) shall clearly define requirements for effec-
tive and timely maintenance work order management, in-
cluding requirements with respect to—

(1) quality assurance for maintenance com-
pleted;

(2) communication of maintenance progress and
resolution with management of military unaccomp-
panied housing, barracks managers, and residents;
and

(3) standardized performance metrics, such as
the timeliness of completion of work orders.

(c) ADMINISTRATION.—The Secretary of each mili-
tary department shall administer the work order process
required under subsection (a) for such military depart-
ment and shall issue or update relevant guidance as nec-
essary.

(d) MILITARY UNACCOMPANIED HOUSING DE-
FINED.—In this section, the term “military unaccomp-
panied housing” means the following housing owned by

the United States Government:
(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2824. EXPANSION OF UNIFORM CODE OF BASIC STANDARDS FOR MILITARY HOUSING TO INCLUDE MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Section 2818 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871 note) is amended—

(1) in the section heading, by striking “FAMILY”; and

(2) in subsection (a)—

(A) by striking “family”; and

(B) by inserting “, including military unaccompanied housing (as defined in section 2871 of title 10, United States Code)” before the period at the end.

(b) IMPLEMENTATION.—

(1) IN GENERAL.—In implementing the amendments made by subsection (a), the Secretary of De-
fense shall ensure that the standards required under section 2818 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871 note), as modified pursuant to those amendments, apply to military unaccompanied housing that is existing as of the date of the enactment of this Act and any such housing constructed or used on or after such date of enactment.

(2) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this subsection, the term “military unaccompanied housing” means the following housing owned by the United States Government:

(A) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(B) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2825. OVERSIGHT OF MILITARY UNACCOMPANIED HOUSING.

(a) CIVILIAN OVERSIGHT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to require that
the Secretary of each military department establish
a civilian employee of the Department of Defense, or
of the military department concerned, at the housing
office for each installation of the Department under
the jurisdiction of such Secretary to oversee military
unaccompanied housing at that installation.

(2) SUPERVISORY CHAIN.—For any installation
of the Department for which the unaccompanied
housing manager is a member of the Armed Forces,
the civilian employee established under paragraph
(1) at such installation shall report to a civilian em-
ployee at the housing office for such installation.

(b) BARRACKS OR DORMITORY MANAGER REQUIRE-
MENTS.—

(1) LIMITATION ON ROLE BY MEMBERS OF THE
ARMED FORCES.—No enlisted member of the Armed
Forces or commissioned officer may be designated as
a barracks manager or supervisor in charge of over-
seeing, managing, accepting, or compiling mainte-
nance records for any military unaccompanied hous-
ing as a collateral duty.

(2) POSITION DESIGNATION.—The function of a
barracks manager or supervisor described in para-
graph (1) for an installation of the Department shall
be completed by a civilian employee or contractor of
the Department who shall report to the government
housing office of the installation.

(c) **MILITARY UNACCOMPANIED HOUSING DEFINED.**—In this section, the term “military unaccom-
panied housing” means the following housing owned by
the United States Government:

(1) Military housing intended to be occupied by
members of the Armed Forces serving a tour of duty
unaccompanied by dependents.

(2) Transient housing intended to be occupied
by members of the Armed Forces on temporary
duty.

**SEC. 2826. ELIMINATION OF FLEXIBILITIES FOR ADEQUACY**
**OR CONSTRUCTION STANDARDS FOR MILITARY UNACCOMPANIED HOUSING.**

(a) **IN GENERAL.**—Not later than 180 days after the
date of the enactment of this Act, the Secretary of Defense
shall modify all directives, instructions, manuals, regula-
tions, policies, and other guidance and issuances of the
Department of Defense to eliminate the grant of any flexi-
bilities to—

(1) minimum adequacy standards for configura-
tion, privacy, condition, health, and safety for exist-
ing permanent party military unaccompanied hous-
ing to be considered suitable for assignment or occupancy; and

(2) standards for the construction of new military unaccompanied housing.

(b) MATTERS INCLUDED.—The requirement under subsection (a) shall include modifications that remove the flexibility provided to the military departments with respect to standards for adequacy for assignment and new construction standards for military unaccompanied housing, including modification of the Housing Management Manual of the Department of Defense and Department of Defense Manual 4165.63, “DoD Housing Management”.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term “military unaccompanied housing” means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.
SEC. 2827. DESIGN STANDARDS FOR MILITARY UNACCOM-

PANIED HOUSING.

(a) Uniform Standards for Floor Space, Number of Members Allowed, and Habitability.—

(1) In general.—Section 2856 of title 10, United States Code, is amended—

(A) in the section heading, by striking “local comparability of floor areas” and inserting “standards”;

(B) by striking “In” and inserting “(a) Local Comparability in Floor Areas.—In”;

(C) in subsection (a), as designated by subparagraph (B), by inserting “, except for purposes of meeting minimum area require-
ments under subsection (b)(1)(A),” after “ex-
ceed”; and

(D) by adding at the end the following new subsection:

“(b) Floor Space, Number of Members Al-
lowed, and Habitability.—

“(1) In general.—In the design, assignment, and use of military unaccompanied housing, the Sec-
retary of Defense shall establish uniform standards that—
“(A) provide a minimum area of floor space, not including bathrooms or closets, per individual occupying a unit of military unaccompanied housing;

“(B) ensure that not more than two individuals may occupy such a unit; and

“(C) provide definitions and measures for habitability, specifying criteria of design and materiel quality to be applied and levels of maintenance to be required.

“(2) WAIVER.—Standards established under paragraph (1) may be waived for specific units of military unaccompanied housing by the Secretary concerned (who may not delegate such waiver) for a period not longer than one year and may not be renewed.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of title 10, United States Code, is amended by striking the item relating to section 2856 and inserting the following new item:

“2856. Military unaccompanied housing: standards.”.

(b) COMPLETION AND ISSUANCE OF UNIFORM STANDARDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—
(1)(A) ensure that the uniform standards required under section 2856(b)(1) of title 10, United States Code, as added by subsection (a)(1)(D), are completed and issued; and

(B) submit to the congressional defense committees a copy of those standards; or

(2) submit to the congressional defense committees a report, under the Secretary’s signature—

(A) explaining in detail why those standards are not completed and issued;

(B) indicating when those standards are expected to be completed and issued; and

(C) specifying the names of the personnel responsible for the failure of the Department of Defense to comply with paragraph (1).

(e) Compliance With Uniform Standards.—

(1) In general.—Not later than two years after the date of the enactment of this Act, the Secretary of each military department shall ensure that all military unaccompanied housing, including privatized military housing under subchapter IV of chapter 169 of title 10, United States Code, located on an installation under the jurisdiction of such Secretary complies with the uniform standards estab-
lished under section 2856(b)(1) of title 10, United
States Code, as added by subsection (a)(1)(D).

(2) NO WAIVER.—The requirement under para-
graph (1) may not be waived.

(3) MILITARY UNACCOMPANIED HOUSING DE-
FINED.—In this subsection, the term “military unac-
compained housing” has the meaning given that
term in section 2871 of title 10, United States Code.

(d) CERTIFICATION OF BUDGET REQUIREMENTS.—
The Under Secretary of Defense (Comptroller) shall in-
clude with the submission to Congress by the President
of the annual budget of the Department of Defense for
each of fiscal years 2025 through 2029 under section
1105(a) of title 31, United States Code, a signed certifi-
cation that the Department of Defense and each of the
military departments has requested sufficient funds to
comply with this section and the amendments made by
this section.

SEC. 2828. TERMINATION OF HABITABILITY STANDARD
WAIVERS AND ASSESSMENT AND PLAN WITH
RESPECT TO MILITARY UNACCOMPANIED
HOUSING.

(a) TERMINATION OF HABITABILITY STANDARD
WAIVERS.—On and after February 1, 2025, any waiver
by the Department of Defense of habitability standards
for military unaccompanied housing in effect as of such date shall terminate.

(b) Assessment.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of each military department, shall submit to the congressional defense committees an assessment on the following:

(1) The number of waivers currently in place for any standards for military unaccompanied housing as it relates to occupancey and habitability, disaggregated by Armed Force, location, and facility.

(2) A list of each such waiver, disaggregated by Armed Force, with a notation of which official appointed by the President and confirmed by the Senate approved the waiver.

(3) The number of members of the Armed Forces impacted by each such waiver, disaggregated by location.

(c) Plan.—

(1) In general.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of each military department, shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Comptroller
General of the United States a plan on addressing
the deficiencies of military unaccompanied housing,
including barracks and dormitories, that led to the
use of waivers described in subsection (b)(1).

(2) ELEMENTS.—The plan required under
paragraph (1) shall include—

(A) a timeline for repairs, renovations, or
minor or major military construction;

(B) the cost of any such repair, renovation,
or construction; and

(C) an installation-by-installation get-well
plan.

(3) IMPLEMENTATION.—Not later than 60 days
after receiving the plan required under paragraph
(1), the Comptroller General shall brief the Commit-
tees on Armed Services of the Senate and the House
of Representatives on—

(A) the ability of the Department of De-
fense to execute the plan; and

(B) any recommendations of the Com-
troller General for modifying the plan.

(d) MILITARY UNACCOMPANIED HOUSING DE-
FINED.—In this section, the term “military unaccomp-
panied housing” means the following housing owned by
the United States Government:
(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2829. REQUIREMENT FOR SECURITY CAMERAS IN COMMON AREAS AND ENTRY POINTS OF MILITARY UNACCOMPANIED HOUSING.

(a) NEW HOUSING.—The Secretary of Defense shall ensure that all renovations of military unaccompanied housing authorized on or after the date of the enactment of this Act that exceed 20 percent of the replacement cost of such facility and all construction of new military unaccompanied housing authorized on or after such date are designed and executed with security cameras in all common areas and entry points as part of a closed circuit television system.

(b) RETROFITTING.—Not later than three years after the date of the enactment of this Act, the Secretary shall ensure that all military unaccompanied housing facilities are retrofitted with security cameras in all common areas and entry points as part of a closed circuit television system.

(c) DEFINITIONS.—In this section:
(1) **COMMON AREA.**—The term “common area” has the meaning given that term by the Secretary of Defense and shall balance the need to increase security in appropriate areas with the privacy expectations of members of the Armed Forces in military unaccompanied housing.

(2) **MILITARY UNACCOMPANIED HOUSING.**—The term “military unaccompanied housing” means the following housing owned by the United States Government:

(A) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(B) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

**SEC. 2830. ANNUAL REPORT ON MILITARY UNACCOMPANIED HOUSING.**

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter for the following four years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on military unaccompanied housing, excluding privatized military
housing under subchapter IV of chapter 169 of title 10, United States Code.

(b) ELEMENTS.—Each report required under subsection (a) shall contain a section provided by each Secretary of a military department that—

(1) is certified by the Secretary concerned;

(2) includes a list of all military unaccompanied housing facilities located on each installation under the jurisdiction of the Secretary concerned;

(3) identifies the replacement cost for each such facility;

(4) identifies the percentage of repair costs as it compares to the total replacement cost for each such facility; and

(5) specifies the funding required to conduct all needed repairs and improvements at each such facility.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term “military unaccompanied housing” has the meaning given that term in section 2871 of title 10, United States Code.
PART II—PRIVATE MILITARY HOUSING

SEC. 2841. IMPROVEMENTS TO PRIVATE MILITARY HOUSING.

(a) LIMITATION ON HOUSING ENHANCEMENT PAYMENTS.—Section 606(a)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2871 note) is amended—

(1) in subparagraph (A)—

(A) by striking “Each month” and inserting “Except as provided in subparagraph (D), each month”; and

(B) by striking “one of more” and inserting “one or more”; and

(2) by adding at the end the following new subparagraph:

“(D) LIMITATION ON PAYMENT.—

“(i) IN GENERAL.—Subject to clause (ii), the Secretary of a military department may not make a payment under subparagraph (A) to a lessor unless the Assistant Secretary of Defense for Energy, Installations, and Environment determines the lessor is in compliance with the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of title 10, United States Code.
“(ii) APPLICATION.—The limitation under clause (i) shall apply to any payment under a housing agreement entered into on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 by the Secretary of a military department with a lessor.”.

(b) INCLUSION OF INFORMATION ON COMPLIANCE WITH TENANT BILL OF RIGHTS IN NOTICE OF LEASE EXTENSION.—Section 2878(f)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) An assessment of compliance by the lessor with the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title.”.

(c) MODIFICATION OF AUTHORITY TO INVESTIGATE REPRISALS.—Subsection (e) of section 2890 of such title is amended—

(1) in paragraph (1)—

(A) by striking “Assistant Secretary of Defense for Sustainment” and inserting “Inspector General of the Department of Defense”; and
(B) by striking “member of the armed forces” and inserting “tenant”;

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “Assistant Secretary of Defense for Sustainment” and inserting “Inspector General”;

(ii) by striking “member of the armed forces” and inserting “tenant”; and

(iii) by striking “Assistant Secretary” and inserting “Inspector General”; and

(B) in subparagraph (B), by striking “Assistant Secretary” and inserting “Inspector General”; and

(3) in paragraph (3)—

(A) by striking “Assistant Secretary of Defense for Sustainment” and inserting “Inspector General of the Department of Defense”; and

(B) by striking “Secretary of the military department concerned” and inserting “Inspector General of the military department concerned”.

SEC. 2842. IMPLEMENTATION OF COMPTROLLER GENERAL
RECOMMENDATIONS RELATING TO
STRENGTHENING OVERSIGHT OF
PRIVATIZED MILITARY HOUSING.
Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—
(1) implement the recommendations of the Comptroller General of the United States contained in the report published by the Comptroller General on April 6, 2023, reissued with revisions on April 20, 2023, and titled “DOD Can Further Strengthen Oversight of Its Privatized Housing Program” (GAO–23–105377); or
(2) if the Secretary does not implement any such recommendation, submit to the Committees on Armed Services of the Senate and the House of Representatives a report explaining why the Secretary has not implemented those recommendations.

SEC. 2843. TREATMENT OF NONDISCLOSURE AGREEMENTS WITH RESPECT TO PRIVATIZED MILITARY HOUSING.
Section 2890(f)(1) of title 10, United States Code, is amended—
(1) by striking “A tenant or prospective tenant of a housing unit may not be required to sign” and
inserting “A landlord may not request that a tenant or prospective tenant of a housing unit sign”; and

(2) by inserting at the end the following: “The military services should seek to inform members of the armed forces of the possible consequences of entering into a nondisclosure agreement and encourage members to seek legal counsel before entering into such an agreement if they have questions about specific contractual terms.”.

PART III—OTHER HOUSING MATTERS

SEC. 2851. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.

(a) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1781c the following new section:

“§1781d. Department of Defense Military Housing Readiness Council

“(a) IN GENERAL.—There is in the Department of Defense the Department of Defense Military Housing Readiness Council (in this section referred to as the ‘Council’).

“(b) MEMBERS.—

“(1) IN GENERAL.—The Council shall be composed of the following members:
“(A) The Assistant Secretary of Defense for Energy, Installations, and Environment, who shall serve as chair of the Council and who may designate a representative to chair the Council in the absence of the Assistant Secretary.

“(B) One representative of each of the Army, Navy, Air Force, Marine Corps, and Space Force, each of whom shall be a member of the armed force to be represented and not fewer than two of which shall be from an enlisted component.

“(C) One spouse of a member of each of the Army, Navy, Air Force, Marine Corps, and Space Force on active duty, not fewer than two of which shall be the spouse of an enlisted member.

“(D) One professional from each of the following fields, each of whom shall possess expertise in State and Federal housing standards in their respective field:

“(i) Plumbing.

“(ii) Electrical.

“(iii) Heating, ventilation, and air conditioning (HVAC).
“(iv) Certified home inspection.
“(v) Roofing.
“(vi) Structural engineering.
“(vii) Window fall prevention and safety.
“(E) Two representatives of organizations that advocate on behalf of military families with respect to military housing.
“(F) One individual appointed by the Secretary of Defense among representatives of the International Code Council.
“(G) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification.
“(H) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops construction standards (such as building, plumbing, mechanical, or electrical).
“(I) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops personnel certification standards for building maintenance or restoration.
“(2) TERMS.—The term on the Council of the members specified under subparagraphs (B) through (M) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense.

“(3) ATTENDANCE BY LANDLORDS.—The chair of the Council shall extend an invitation to each landlord for one representative of each landlord to attend such meetings of the Council as the chair considers appropriate.

“(4) ADDITIONAL REQUIREMENTS FOR CERTAIN MEMBERS.—Each member appointed under paragraph (1)(D) may not be affiliated with—

“(A) any organization that provides privatized military housing; or

“(B) the Department of Defense.

“(c) MEETINGS.—The Council shall meet two times each year.

“(d) DUTIES.—The duties of the Council shall include the following:

“(1) To review and make recommendations to the Secretary of Defense regarding policies for privatized military housing, including inspections practices, resident surveys, landlord payment of medical bills for residents of housing units that have
not maintained minimum standards of habitability, and access to maintenance work order systems.

“(2) To monitor compliance by the Department of Defense with and effective implementation by the Department of statutory and regulatory improvements to policies for privatized military housing, including the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title and the complaint database established under section 2894a of this title.

“(3) To make recommendations to the Secretary of Defense to improve collaboration, awareness, and promotion of accurate and timely information about privatized military housing, accommodations available through the Exceptional Family Member Program of the Department, and other support services among policymakers, providers of such accommodations and other support services, and targeted beneficiaries of such accommodations and other support services.

“(e) Public Reporting.—

“(1) Availability of Documents.—Subject to section 552 of title 5 (commonly known as the ‘Freedom of Information Act’), the records, reports, transcripts, minutes, appendices, working papers,
drafts, studies, agenda, and other documents made available to or prepared for or by the Council shall be available for public inspection and copying at a single location in a publicly accessible format on a website of the Department of Defense until the Council ceases to exist.

“(2) MINUTES.—

“(A) IN GENERAL.—Detailed minutes of each meeting of the Council shall be kept and shall contain—

“(i) a record of the individuals present;

“(ii) a complete and accurate description of matters discussed and conclusions reached; and

“(iii) copies of all reports received, issued, or approved by the Council.

“(B) CERTIFICATION.—The chair of the Council shall certify the accuracy of the minutes of each meeting of the Council.

“(f) ANNUAL REPORTS.—

“(1) IN GENERAL.—Not later than March 1 each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report on privatized military housing readiness.
“(2) ELEMENTS.—Each report under this subsection shall include the following:

“(A) An assessment of the adequacy and effectiveness of the provision of privatized military housing and the activities of the Department of Defense in meeting the needs of military families relating to housing during the preceding fiscal year.

“(B) A description of activities of the Council during the preceding fiscal year, including—

“(i) analyses of complaints of tenants of housing units;

“(ii) data received by the Council on maintenance response time and completion of maintenance requests relating to housing units;

“(iii) assessments of dispute resolution processes;

“(iv) assessments of overall customer service for tenants;

“(v) assessments of results of housing inspections conducted with and without notice; and
“(vi) any survey results conducted on behalf of or received by the Council.

“(C) Recommendations on actions to be taken to improve the capability of the provision of privatized military housing and the activities of the Department of Defense to meet the needs and requirements of military families relating to housing, including actions relating to the allocation of funding and other resources.

“(3) Public availability.—Each report under this subsection shall be made available in a publicly accessible format on a website of the Department of Defense.

“(g) Definitions.—In this section:

“(1) Landlord.—The term ‘landlord’ has the meaning given that term in section 2871 of this title.

“(2) Privatized military housing.—The term ‘privatized military housing’ means housing provided under subchapter IV of chapter 169 of this title.”.

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1781c the following new item:

“1781d. Department of Defense Military Housing Readiness Council.”.
SEC. 2852. INCLUSION IN ANNUAL STATUS OF FORCES SURVEY OF QUESTIONS REGARDING LIVING CONDITIONS OF MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall include in each status of forces survey of the Department of Defense conducted on or after the date of the enactment of this Act questions specifically targeting the following areas:

(1) Overall satisfaction of members of the Armed Forces with their current living accommodation.

(2) Satisfaction of such members with the physical condition of their current living accommodation.

(3) Satisfaction of such members with the affordability of their current living accommodation.

(4) Whether the current living accommodation of such members has impacted any decision related to reenlistment in the Armed Forces.

Subtitle C—Land Conveyances

SEC. 2861. LAND CONVEYANCE, BG J SUMNER JONES ARMY RESERVE CENTER, WHEELING, WEST VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Army (in this section referred to as the “Secretary”) may convey to the City of Wheeling, West Virginia (in
this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 3.33 acres, known as the former BG J Sumner Jones Army Reserve Center, located within the City, for the purpose of providing emergency management response or law enforcement services.

(2) **CONTINUATION OF EXISTING EASEMENTS, RESTRICTIONS, AND COVENANTS.**—The conveyance of the property under paragraph (1) shall be subject to any easement, restriction, or covenant of record applicable to the property and in existence on the date of the enactment of this Act.

(b) **REVISIONARY INTEREST.**—

(1) **IN GENERAL.**—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereto, may, at the option of the Secretary, revert to and become the property of the United States, and the United States may have the right of immediate entry onto such property.
(2) DETERMINATION.—A determination by the Secretary under paragraph (1) may be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including costs for environmental and real estate due diligence and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected from the City under paragraph (1) in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(d) LIMITATION ON SOURCE OF FUNDS.—The City may not use Federal funds to cover any portion of the costs required to be paid by the City under this section.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under
subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2862. LAND CONVEYANCE, WETZEL COUNTY MEMORIAL ARMY RESERVE CENTER, NEW MARTINSVILLE, WEST VIRGINIA.

(a) **CONVEYANCE AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretary of the Army (in this section referred to as the “Secretary”) may convey to the City of New Martinsville, West Virginia (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 2.96 acres, known as the former Wetzel County Memorial Army Reserve Center, located within the City, for the purpose of providing emergency management response or law enforcement services.

(2) **CONTINUATION OF EXISTING EASEMENTS, RESTRICTIONS, AND COVENANTS.**—The conveyance of the property under paragraph (1) shall be subject
to any easement, restriction, or covenant of record
applicable to the property and in existence on the
date of the enactment of this Act.
(b) Revisionary Interest.—

(1) In General.—If the Secretary determines
at any time that the property conveyed under sub-
section (a) is not being used in accordance with the
purpose of the conveyance specified in such sub-
section, all right, title, and interest in and to the
property, including any improvements thereto, may,
at the option of the Secretary, revert to and become
the property of the United States, and the United
States may have the right of immediate entry onto
such property.

(2) Determination.—A determination by the
Secretary under paragraph (1) may be made on the
record after an opportunity for a hearing.
(c) Payment of Costs of Conveyance.—

(1) Payment Required.—The Secretary may
require the City to cover all costs (except costs for
environmental remediation of the property) to be in-
curred by the Secretary, or to reimburse the Sec-
retary for costs incurred by the Secretary, to carry
out the conveyance under subsection (a), including
costs for environmental and real estate due diligence
and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected from the City under paragraph (1) in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(d) LIMITATION ON SOURCE OF FUNDS.—The City may not use Federal funds to cover any portion of the costs required to be paid by the City under this section.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.
Subtitle D—Other Matters

SEC. 2871. AUTHORITY TO CONDUCT ENERGY RESILIENCE AND CONSERVATION PROJECTS AT INSTALLATIONS WHERE NON-DEPARTMENT OF DEFENSE FUNDED ENERGY PROJECTS HAVE OCCURRED.

Subsection (k) of section 2688 of title 10, United States Codes, is amended to read as follows:

“(k) IMPROVEMENT OF CONVEYED UTILITY SYSTEM.—(1) In the case of a utility system that has been conveyed under this section and that only provides utility services to a military installation, the Secretary of Defense or the Secretary of a military department may authorize a contract on a sole source basis with the conveyee of the utility system to carry out a military construction project as authorized and appropriated for by law for an infrastructure improvement that enhances the reliability, resilience, efficiency, physical security, or cybersecurity of the utility system.

“(2) The Secretary of Defense or the Secretary of a military Department may convey under subsection (j) any infrastructure constructed under paragraph (1) that is in addition to the utility system conveyed under such paragraph.”.
SEC. 2872. LIMITATION ON AUTHORITY TO MODIFY OR RESTRICT PUBLIC ACCESS TO GREENBURY POINT CONSERVATION AREA AT NAVAL SUPPORT ACTIVITY ANNAPOLIS, MARYLAND.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of the Navy may not modify or restrict public access to the Greenbury Point Conservation Area at Naval Support Activity Annapolis, Maryland, until—

(1) the Secretary submits to Congress a report describing the manner in which such access will be modified or restricted; and

(2) a law is enacted permitting such modifications or restrictions.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

(1) temporary restrictions to protect public safety that are necessitated by emergent situations, hazardous conditions, maintenance of existing facilities, or live fire exercises; or

(2) the lease or transfer of the Greenbury Point Conservation Area to another public entity.
SEC. 2873. AUTHORIZATION FOR THE SECRETARY OF THE NAVY TO RESOLVE THE ELECTRICAL UTILITY OPERATIONS AT FORMER NAVAL AIR STATION BARBERS POINT (CURRENTLY KNOWN AS “KALAELOA”), HAWAII.

(a) IN GENERAL.—The Secretary of the Navy (in this section referred to as the “Secretary”) may enter into an agreement with the State of Hawaii for the purpose of resolving the electrical utility operations at Former Naval Air Station Barbers Point, also known as “Kalaeloa”, Hawaii.

(b) ELEMENTS OF AGREEMENT.—An agreement entered into under subsection (a) shall include a requirement that the Secretary—

(1) assist with—

(A) the transfer of customers of the Navy off of the electrical utility system of the Navy in the location specified in such subsection; and

(B) the enhancement of the new surrounding electrical system to accept any additional load from such transfer, with a priority in the downtown area, which is home to nine large customers, including the Hawaii Army National Guard;
(2) provide the instantaneous peak demand analysis and design necessary to conduct such transfer;

(3) provide rights of way and easements necessary to support the construction of replacement electrical infrastructure; and

(4) be responsible for all environmental assessments and remediation and costs related to the removal and disposal of the electrical utility system of the Navy once it is no longer in use.

(c) Limitation on Expenditure of Amounts.—
The Secretary may expend not more than $48,000,000 during any fiscal year to provide support for an agreement entered into under subsection (a).

(d) Notification.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the Secretary shall submit to the congressional defense committees a report on progress made in initiating and executing an agreement under subsection (a).

SEC. 2874. CLARIFICATION OF OTHER TRANSACTION AUTHORITY FOR INSTALLATION OR FACILITY PROTOTYPING.

Section 4022(i) of title 10, United States Code, is amended—
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(1) in paragraph (2)—

(A) in subparagraph (A), by striking “; and” and inserting a period;

(B) by striking subparagraph (B); and

(C) by striking “paragraph (1)” and all that follows through “not more” and inserting “paragraph (1), except for projects carried out for the purpose of repairing a facility, not more”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

“(3) USE OF AMOUNTS.—The Secretary of Defense or the Secretary of a military department may carry out prototype projects under the pilot program established under paragraph (1) using amounts available for military construction, notwithstanding—

“(A) subchapters I and III of chapter 169 of this title; and

“(B) chapters 221 and 223 of this title.”.
SEC. 2875. REQUIREMENT THAT DEPARTMENT OF DEFENSE
INCLUDE MILITARY INSTALLATION RESILIENCE IN REAL PROPERTY MANAGEMENT
AND INSTALLATION MASTER PLANNING OF
DEPARTMENT.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) update Department of Defense Instruction 4165.70 (relating to real property management) and Unified Facilities Criteria 2–100–01 (relating to installation master planning) to—

(A) include a requirement to incorporate the impact of military installation resilience in all installation master plans;

(B) include a list of all sources of information approved by the Department of Defense;

(C) define the 17 military installation resilience hazards to ensure that the impacts from such hazards are reported consistently across the Department;

(D) require military installations to address the rationale for determining that any such hazard is not applicable to the installation;

(E) standardize reporting formats for military installation resilience plans;
(F) establish and define standardized risk rating categories for the use by all military departments; and

(G) define criteria for determining the level of risk to an installation to compare hazards between military departments; and

(2) require the Secretary of each military department to update the handbook for the military department concerned to incorporate the requirements under paragraph (1).

SEC. 2876. INCREASE OF LIMITATION ON FEE FOR ARCHITECTURAL AND ENGINEERING SERVICES PROCURED BY MILITARY DEPARTMENTS.

(a) Army.—Section 7540(b) of title 10, United States Code, is amended by striking “6 percent” and inserting “10 percent”.

(b) Navy.—Section 8612(b) of such title is amended by striking “6 percent” and inserting “10 percent”.

(c) Air Force.—Section 9540(b) of such title is amended by striking “6 percent” and inserting “10 percent”.
SEC. 2877. REQUIREMENT THAT ALL MATERIAL TYPES BE CONSIDERED FOR DESIGN-BID-BUILD MILITARY CONSTRUCTION PROJECTS.

(a) IN GENERAL.—The Secretary concerned may not proceed from the design phase of a design-bid-build military construction project or solicit bids for the construction phase of a design-bid-build military construction project until the Secretary of Defense certifies that all materials included in the Unified Facilities Criteria of the Department of Defense have been equally considered for such project.

(b) ANNUAL REPORT.—Not later than January 1 of each year, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report—

(1) detailing the primary construction material for each design-bid-build military construction project for which a contract was awarded during the previous fiscal year in an amount that exceeds $6,000,000; and

(2) identifying whether each such project was designed or constructed based off a shelf design used at another installation of the Department of Defense.

(c) SECRETARY CONCERNED DEFINED.—In this section, the term “Secretary concerned” has the meaning
given that term in section 101(a)(9) of title 10, United States Code.

SEC. 2878. CONTINUING EDUCATION CURRICULUM FOR MEMBERS OF THE MILITARY CONSTRUCTION PLANNING AND DESIGN WORKFORCE AND ACQUISITION WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall establish a continuing education curriculum for members of the military construction planning and design workforce of the Department of Defense and the acquisition workforce of the Department responsible for military construction projects.

(b) CURRICULUM.—The continuing education curriculum required under subsection (a)—

(1) shall be focused on improving the understanding, awareness, and utilization of innovative products for construction systems with increased benefits relating to—

(A) construction speed;

(B) anti-terrorism force protection;

(C) lateral wind, seismic activity, and fire performance standards;
(D) designs that factor in military installation resilience and protection against extreme weather events;

(E) life-cycle cost effectiveness and sustainability;

(F) renewability; and

(G) carbon sequestration; and

(2) shall include instruction relating to—

(A) all sustainable building materials, such as innovative wood products and mass timber systems; and

(B) designs to improve military installation resilience using projection data against extreme weather events.

(c) AVAILABILITY AND UPDATE.—The Secretary shall ensure that—

(1) the continuing education curriculum required under subsection (a) is made available to each element of the military construction community not later than 60 days after completion of the curriculum; and

(2) such curriculum is updated whenever a new construction material is approved by the Unified Facilities Criteria of the Department.
(d) ACADEMIA INPUT.—In developing the continuing education curriculum required under subsection (a), the Secretary shall consult with academic institutions.

(e) TIMING.—Not later than January 1, 2025, the Secretary shall ensure that—

(1) not less than 75 percent of the workforce described in subsection (a) has completed the first iteration of the continuing education curriculum required under such subsection; and

(2) such workforce receives updated information on innovative construction techniques on a continuing basis.

(f) REPORT.—Not later than June 1, 2024, the Secretary shall submit to appropriate committees of Congress a report containing an update on the status of the continuing education curriculum required under subsection (a).

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the
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Committee on Appropriations of the Senate;

and

(B) the Committee on Armed Services and
the Subcommittee on Military Construction,
Veterans Affairs and Related Agencies of the
Committee on Appropriations of the House of
Representatives.

(2) MILITARY INSTALLATION RESILIENCE.—
The term “military installation resilience” has the
meaning given that term in section 101(e)(8) of title
10, United States Code.

SEC. 2879. GUIDANCE ON DEPARTMENT OF DEFENSE-WIDE
STANDARDS FOR ACCESS TO INSTALLATIONS
OF THE DEPARTMENT.

(a) INTERIM GUIDANCE.—Not later than 30 days
after the date of the enactment of this Act, the Secretary
of Defense shall promulgate interim guidance to the ap-
propriate official or officials within the Department of De-
fense for purposes of establishing final standards of the
Department for fitness of individuals for access to installa-
tions of the Department, which shall include modifying
Department of Defense Manual 5200.08, “Physical Secu-

rity Program: Access to DoD Installations”, or any com-
parable or successor policy guidance document.
(b) Final Guidance.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate final guidance described in subsection (a).

(c) Briefing.—Not later than 60 days after promulgating interim guidance required under subsection (a), the Secretary of Defense shall brief the Committees on Armed Services of the Senate the House of Representatives on such guidance, which shall include a timeline for promulgation of final guidance as required under subsection (b).

SEC. 2880. DEPLOYMENT OF EXISTING CONSTRUCTION MATERIALS.

(a) Plan.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan to utilize, transfer, or donate to States on the southern border of the United States all existing excess border wall construction materials, including bollards, for constructing a permanent physical barrier to stop illicit human and vehicle traffic along the border of the United States with Mexico.

(b) Execution of Plan.—Not later than 15 days after submitting to Congress the plan required under subsection (a), taking into account ongoing audits being conducted by the Defense Contract Audit Agency and ongoing construction contract negotiations by the Army Corps of
Engineers, so long as any ongoing audits or construction contract negotiations are not a cause for delay, the Secretary shall work with the Defense Logistics Agency to execute that plan until the Department of Defense is no longer incurring any costs to maintain, store, or protect the materials specified under such subsection.

(e) REQUIREMENTS OF REQUESTING STATES.—Any State requesting border wall construction materials made available under this section must certify, in writing, that the materials it accepts will be exclusively used for the construction of a permanent physical barrier along the border of the United States with Mexico.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the following:

(1) A detailed description of the decision process of the Secretary to forgo the excess property disposal process of the Department of Defense and instead pay to store border wall panels.

(2) A list of entities the Department is paying for use of their privately owned land to store unused border wall construction materials, with appropriate action taken to protect personally identifiable information, such as by making the list of entities avail-
able in an annex that is labeled as controlled unclassified information.

(3) An explanation of the process through which the Department contracted with private landowners to store unused border wall construction materials, including whether there was a competitive contracting process and whether the landowners have instituted an inventory review system.

(4) A description of any investigations by the Inspector General of the Department that have been opened related to storing border wall construction materials.

**SEC. 2881. TECHNICAL CORRECTIONS.**

(a) **NUMU NEWE SPECIAL MANAGEMENT AREA.**—

Section 2902(c) of the Military Construction Authorization Act for Fiscal Year 2023 (16 U.S.C. 460gggg(e)) is amended by striking “217,845” and inserting “209,181”.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) Authorization of New Plant Projects.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 24–D–513, Z-Pinch Experimental Underground System Test Bed Facilities Improvement,
Nevada National Security Site, Nye County, Nevada, $80,000,000.

Project 24–D–512, TA-46 Protective Force Facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 24–D–511, Plutonium Production Building, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 24–D–510, Analytic Gas Laboratory, Pantex Plant, Panhandle, Texas, $35,000,000.

Project 24–D–530, Naval Reactors Facility Medical Science Complex, Idaho Falls, Idaho, $36,584,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) Authorization of New Plant Projects.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:
1 Project 24–D–401, Environmental Restoration
2 Disposal Facility Super Cell 11 Expansion Project,
3 Hanford Site, Richland, Washington, $1,000,000.

4 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**
5 Funds are hereby authorized to be appropriated to
6 the Department of Energy for fiscal year 2024 for other
7 defense activities in carrying out programs as specified in
8 the funding table in section 4701.

9 **SEC. 3104. NUCLEAR ENERGY.**
10 Funds are hereby authorized to be appropriated to
11 the Department of Energy for fiscal year 2024 for nuclear
12 energy as specified in the funding table in section 4701.

13 **Subtitle B— Program Authorizations, Restrictions, and Limitations**

16 **SEC. 3111. LIMITATION ON USE OF FUNDS FOR NAVAL NU-
17 CLEAR FUEL SYSTEMS BASED ON LOW-EN-
18 RICHED URANIUM.**

19 None of the funds authorized to be appropriated by
20 this Act for fiscal year 2024 for the National Nuclear Se-
21curity Administration for the purpose of conducting re-
22search and development of an advanced naval nuclear fuel
23 system based on low-enriched uranium may be obligated
24 or expended until the following determinations are sub-
25mitted to the congressional defense committees:
(1) A determination made jointly by the Secretary of Energy and the Secretary of Defense with respect to whether the determination made jointly by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium, remains valid.

(2) A determination by the Secretary of the Navy with respect to whether an advanced naval nuclear fuel system based on low-enriched uranium can be produced that would not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements.

SEC. 3112. PROHIBITION ON ARIES EXPANSION BEFORE REALIZATION OF 30 PIT PER YEAR BASE CAPABILITY.

Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended by—

(a) redesignating subsection (f) as subsection (g); and
(b) inserting after subsection (e) the following new subsection (f):

“(f) Prohibition on ARIES Expansion Before Realization of 30 Pit Per Year Base Capability.—

“(1) In General.—Unless the Administrator certifies to the congressional defense committees that the base capability to produce 30 plutonium pits per year has been established at Los Alamos National Laboratory, the Advanced Recovery and Integrated Extraction System (commonly known as ‘ARIES’) spaces at the Plutonium Facility at Technical Area 55 (commonly known as ‘PF–4’) may not be modified, including by installing additional equipment.

“(2) Exceptions.—Paragraph (1) shall not apply with respect to—

“(A) the planning and design of an additional ARIES capability; or

“(B) the transfer of the ARIES capability to a location other than PF–4.”.

SEC. 3113. PLUTONIUM MODERNIZATION PROGRAM MANAGEMENT.

Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended by adding at the end the following new subsection:
“(h) Not later than 570 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall ensure that the plutonium modernization program established by the Office of Defense Programs of the National Nuclear Security Administration, or any subsequently developed program designed to meet the requirements under subsection (a), is managed in accordance with the requirements of the Enhanced Management A program management category described in the execution instruction of the Office of Defense Programs entitled ‘DP Program Execution Instruction: NA-10 Program Management Tools and Processes’ and issued on January 14, 2016, or any subsequent directive.”.

SEC. 3114. PANTEX EXPLOSIVES MANUFACTURING CAPABILITY.

Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

“SEC. 4225. PANTEX EXPLOSIVES MANUFACTURING CAPABILITY.

“(a) In General.—Not later than the date on which the W87–1 modification program enters into phase 6.5 of the joint nuclear weapons life cycle process (as defined in section 4220), the Administrator shall establish at the Pantex Plant a conventional high explosives production ca-
pability with sufficient capacity to support full rate pro-
duction of the main explosives used for the W87–1 war-
head.

“(b) BRIEFING.—On the day after the date that the
budget of the President is submitted to Congress under
section 1105(a) of title 31, United States Code, for fiscal
year 2025 and each fiscal year thereafter, the Adminis-
trator shall brief the congressional defense committees on
the progress of the Administration in achieving the capa-
bility described in subsection (a).

“(c) TERMINATION.—Subsection (b) shall terminate
upon the date that the Administrator certifies to the con-
gressional defense committees that the capability de-
scribed in subsection (a) has been achieved.”.

SEC. 3115. LIMITATION ON ESTABLISHING AN ENDURING
BIOASSURANCE PROGRAM WITHIN THE NA-
TIONAL NUCLEAR SECURITY ADMINISTRA-
TION.

(a) IN GENERAL.—Subtitle B of title XLVIII of the
Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is
amended by adding at the end the following section:
“SEC. 4815. LIMITATION ON ESTABLISHING AN ENDURING BIOASSURANCE PROGRAM WITHIN THE ADMINISTRATION.

“(a) IN GENERAL.—The Administrator may not establish a program within the Administration for the purposes of executing an enduring national security research and development effort to broaden the role of the Department of Energy in national biodefense.

“(b) RULE OF CONSTRUCTION.—The limitation described in subsection (a) shall not be interpreted—

“(1) to prohibit the establishment of a bioassurance program for the purpose of executing enduring national security research and development in any component of the Department of Energy other than the Administration or in any other Federal agency; or

“(2) to impede the use of resources of the Administration, including resources provided by a national security laboratory or a nuclear weapons production facility site, to support the execution of a bioassurance program, if such support is provided—

“(A) on a cost-reimbursable basis to an entity that is not a component of the Department of Energy; and

“(B) in a manner that does not interfere with mission of such laboratory or facility.”.
(b) Clerical Amendment.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4814 the following new item:

“Sec. 4815. Limitation on establishing an enduring bioassurance program within the Administration.”.

SEC. 3116. EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OR REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLD-WIDE.

Section 4306B(f)(6) of the Atomic Energy Defense Act (50 U.S.C. 2569(f)(6)) is amended by striking “2028” and inserting “2033”.

SEC. 3117. MODIFICATION OF REPORTING REQUIREMENTS FOR PROGRAM ON VULNERABLE SITES.

(a) In General.—Section 4306B of the Atomic Energy Defense Act (50 U.S.C. 2569) is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively; and

(3) in paragraph (6) of subsection (e), as so redesignated, by striking “2028” and inserting “2030”.


SEC. 3118. IMPLEMENTATION OF ENHANCED MISSION DELIVERY INITIATIVE.

(a) IN GENERAL.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2025 through 2029, the Administrator for Nuclear Security, acting through the Director for Cost Estimating and Program Evaluation, shall brief the congressional defense committees on the status of implementing the 18 principal recommendations and associated subelements of the report entitled “Evolving the Nuclear Security Enterprise: A Report of the Enhanced Mission Delivery Initiative”, published by the National Nuclear Security Administration in September 2022.

(b) ELEMENTS OF BRIEFINGS.—Each briefing required by subsection (a) shall address—

(1) the status of implementing each recommendation described in subsection (a);
(2) with respect to each recommendation that has been implemented, whether the outcome of such implementation is achieving the desired result;

(3) with respect to each recommendation that has not been implemented, the reason for not implementing such recommendation;

(4) whether additional legislation is required in order to implement a recommendation; and

(5) such other matters as the Administrator considers necessary.

SEC. 3119. LIMITATION ON USE OF FUNDS UNTIL PROVISION OF SPEND PLAN FOR W80-4 ALT WEAPON DEVELOPMENT.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operations of the Office of the Administrator for Nuclear Security, not more than 50 percent may be obligated or expended until the date on which the Administrator for Nuclear Security submits to the congressional defense committees the spend plan for the warhead associated with the sea-launched cruise missile required by section 1642(d) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).
SEC. 3120. ANALYSES OF NUCLEAR PROGRAMS OF FOREIGN COUNTRIES.

(a) Capability to Conduct Analyses of Nuclear Programs.—The Secretary of Energy shall, using existing authorities of the Secretary, take such actions as are necessary to improve the ability of the Department of Energy to conduct comprehensive, integrated analyses of the nuclear programs of foreign countries.

(b) Additional Analyses Required.—The Secretary shall conduct analyses of—

(1) countries that may pursue nuclear weapons programs in the future;

(2) developing technologies that make it easier for the governments of countries or for non-state actors to acquire nuclear weapons; and

(3) entities that may be developing the ability to supply sensitive nuclear technologies but may not yet have effective programs in place to ensure compliance with export controls.

SEC. 3121. ENHANCING NATIONAL NUCLEAR SECURITY ADMINISTRATION SUPPLY CHAIN RELIABILITY.

(a) In General.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:
“SEC. 4808. SUPPLY CHAIN RELIABILITY ASSURANCE PROGRAM.

“The Administrator shall establish a supply chain reliability assurance program—

“(1) to facilitate collaboration with the Department of Defense and industrial partners to maintain a reliable domestic supplier base for critical materials to meet engineering and performance requirements of the Administration and the Department of Defense; and

“(2) to improve coordination with the Infrastructure and Operations Program and the Programmatic Recapitalization Working Group to improve planning for material requirements and potential disruptions to commercial or contractor supply chains, including with respect to—

“(A) assisting in coordination for forecasting future needs in both legacy inventories and new procurements;

“(B) establishing clear requirements for nuclear security enterprise assurance and, when cost-effective, to use capabilities of the Administration to restore mission schedules at risk; and

“(C) collaborating with the Department of Defense and industrial partners to establish processes to mitigate manufacturing challenges
and to develop strategies to lower long-term costs, while identifying and preserving production of materials and components by the Administration.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4807 the following new item:

“Sec. 4808. Supply chain reliability assurance program.”.

SEC. 3122. TRANSFER OF CYBERSECURITY RESPONSIBILITIES TO ADMINISTRATOR FOR NUCLEAR SECURITY.

The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended—

(1) in section 3212(b) (50 U.S.C. 2402(b)), by adding at the end the following new paragraph:

“(20) Information resources management, including cybersecurity.”; and

(2) in section 3232(b)(3)(50 U.S.C. 2422(b)(3)), by striking “and cyber”.

SEC. 3123. REDESIGNATING DUTIES RELATED TO DEPARTMENTAL RADIOLOGICAL AND NUCLEAR INCIDENT RESPONSES.

(a) DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS.—Section 3214(b) of the National Nuclear Secu-
Security Administration Act (50 U.S.C. 2404 (b)) is amended by striking paragraph (3).

(b) Administrator for Nuclear Security.—Section 3212(b)(7) of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)(7)) is amended by inserting “and Nuclear Emergency Support Team capabilities, including all field-deployed and remote technical support to public health and safety missions, countering weapons of mass destruction operations, technical and operational nuclear forensics, and responses to United States nuclear weapon accidents” after “management”.

SEC. 3124. MODIFICATION OF AUTHORITY TO ESTABLISH CERTAIN CONTRACTING, PROGRAM MANAGEMENT, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.

Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking “800” and inserting “1,200”.

SEC. 3125. TECHNICAL AMENDMENTS TO THE ATOMIC ENERGY DEFENSE ACT.

The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(1) in section 4306(d)—
(A) in paragraph (1), by striking “Not later than March 15, 2005, the” and inserting “The”; and

(B) in paragraph (2), by striking “Not later than January 1, 2006, the” and inserting “The”; and

(2) in section 4807(f)(1), by striking “2022” and inserting “2030”.

SEC. 3126. AMENDMENT TO PERIOD FOR BRIEFING REQUIREMENTS.

Section 4807(f)(1) of the Atomic Energy Defense Act (50 U.S.C. 2787(f)(1)) is amended by striking “2022” and inserting “2032”.

SEC. 3127. REPEAL OF REPORTING REQUIREMENTS FOR URANIUM CAPABILITIES REPLACEMENT PROJECT.

Section 3123(g) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2178) is repealed.

Subtitle C—Budget and Financial Management Matters

SEC. 3131. UPDATED FINANCIAL INTEGRATION POLICY.

Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security
shall issue an updated financial integration policy, which shall include the following:

(1) Updated responsibilities for offices of the National Nuclear Security Administration and requirements for management and operating contractors, including contractors at sites that are not sites of the Administration.

(2) Guidance for how offices of the Administration should use common financial data, including guidance requiring that such data be used as the primary source of financial data by program offices, to the extent practicable.

(3) Processes recommended by the Government Accountability Office to improve financial integration efforts of the Administration, including an internal process to verify how management and operating contractors crosswalk data from their systems to the appropriate work breakdown structure of the Administration and apply common cost element definitions.

(4) Any other matters the Administrator considers appropriate.
Subtitle D—Other Matters

SEC. 3141. INTEGRATION OF TECHNICAL EXPERTISE OF DEPARTMENT OF ENERGY INTO POLICYMAKING.

The Secretary of Energy shall take such measures as are necessary to improve the integration of the scientific and technical expertise of the Department of Energy, especially the expertise of the national laboratories, into policymaking, including by—

(1) ensuring that such expertise is involved during interagency discussions, regardless of the topic of such discussions;

(2) decreasing restrictions on personnel of laboratories and other facilities of the Department working in the Department headquarters for 2- to 3-year rotations;

(3) increasing collaboration among program managers and personnel of laboratories and other facilities of the Department during policy deliberations; and

(4) creating mechanisms for providing technical advice to officials of the Department responsible for nonproliferation policy.
TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2024, $47,230,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

“§ 109. Maritime Administration

“(a) ORGANIZATION AND MISSION.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.

“(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.
“(c) Deputy Maritime Administrator.—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

“(d) Duties and Powers Vested in Secretary.—All duties and powers of the Maritime Administration are vested in the Secretary.

“(e) Regional Offices.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

“(f) Interagency and Industry Relations.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the
transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

“(g) Detailing Officers from Armed Forces.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer’s pay and allowances as an officer in the Armed Forces, makes the officer’s total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

“(h) Contracts, Cooperative Agreements, and Audits.—

“(1) Contracts and cooperative agreements.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—
“(A) carry out the Secretary’s duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

“(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

“(2) Audits.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

“(i) Grant Administrative Expenses.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

“(j) Authorization of Appropriations.—

“(1) In general.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to
carry out the duties and powers of the Secretary relating to the Maritime Administration.

“(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

“(A) acquisition, construction, or reconstruction of vessels;

“(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

“(C) costs of national defense features;

“(D) payments of obligations incurred for operating-differential subsidies;

“(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

“(F) the Vessel Operations Revolving Fund;

“(G) National Defense Reserve Fleet expenses;

“(H) expenses necessary to carry out part B of subtitle V of title 46; and
“(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.”.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 3201 and 4024 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.
(c) Relationship to Transfer and Programming Authority.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) Applicability to Classified Annex.—This section applies to any classified annex that accompanies this Act.

(e) Oral or Written Communications.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.